

STATEHOOD FOR HAWAII

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**HEARING
BEFORE THE
SUBCOMMITTEE ON
TERRITORIES AND INSULAR AFFAIRS
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE
EIGHTY-SIXTH CONGRESS
FIRST SESSION
ON
S. 50**

**A BILL TO PROVIDE FOR THE ADMISSION OF THE STATE
OF HAWAII INTO THE UNION**

FEBRUARY 25, 1959

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STATEHOOD FOR HAWAII

WEDNESDAY, FEBRUARY 25, 1959

U.S. SENATE,
SUBCOMMITTEE ON TERRITORIES AND
INSULAR AFFAIRS OF THE
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m. in room 3110, New Senate Office Building, Senator Henry M. Jackson (chairman of the subcommittee) presiding.

Present: Senators Jackson, Church, Kuchel, Carroll, Moss, and Goldwater.

Also present: Senator Gruening, Senator Bartlett, and Delegate John A. Burns, of Hawaii.

Staff members present: Richard L. Callaghan, staff director; Stewart French, chief counsel; and Michael J. Cafferty, subcommittee counsel.

Senator JACKSON. This is an open, public hearing on S. 50, a bill to admit the Territory of Hawaii into the Union as a State of the United States. This measure was introduced by the distinguished chairman of the Committee on Interior and Insular Affairs, Senator Murray of Montana, for himself and 54 other Senators of both political parties. The Senators sponsoring this Hawaii statehood bill are:

Senators Murray, Allott, Anderson, Bartlett, Beall, Bennett, Bible, Cannon, Carroll, Case of South Dakota, Case of New Jersey, Chavez, Church, Clark, Cooper, Curtis, Dirksen, Douglas, Engle, Frear, Goldwater, Green, Gruening, Hart, Hartke, Hennings, Hickenlooper, Holland, Humphrey, Jackson, Javits, Kennedy, Kuchel, Long, McCarthy, McGee, McNamara, Magnuson, Mansfield, Morse, Morton, Moss, Muskie, Neuberger, O'Mahoney, Pastore, Proxmire, Randolph, Saltonstall, Scott, Smith, Wiley, Williams of New Jersey, Yarborough, Young of North Dakota, and Young of Ohio.

I will direct that the text of S. 50, as introduced, and copies of the reports we have received from the executive agencies on it appear in the record of these hearings at the conclusion of the verbal testimony.

(The text of the bill and the executive agency reports appear as appendix A, which begins on p. 81.)

Senator JACKSON. Our usual procedure in starting such a hearing as this is to call on the members of the Senate first, and particularly on members of the committee, for any statement they desire to make. However, this morning the Secretary of the Interior has an appointment with the President, at 11 o'clock, and if there is no objection,

the Chair would like to call the Secretary as the first witness this morning, and to hear from him.

Before doing that, the Chair would like to repeat again the statement made earlier; namely, that we would like to confine the testimony in the hearing today to new testimony. I say that for the benefit of the witnesses who may testify other than those who represent governmental agencies.

Now, if there is no objection, the Chair will be delighted to hear from a long and staunch friend of Hawaiian statehood, the Secretary of Interior, the Honorable Fred Seaton.

STATEMENT OF HON. FRED SEATON, SECRETARY OF THE INTERIOR

Secretary Seaton. Mr. Chairman, first I should like to thank you, sir, for your understanding and graciousness in allowing me to be the first witness this morning in the light of the circumstances which I have to deal with today.

Mr. Chairman and members of the committee, I should like to emphasize in my testimony here today that I am grateful for this opportunity to appear before you in behalf of statehood for the Territory of Hawaii. Your chairman has asked that these hearings be limited to the presentation of new information pertaining to the admission of Hawaii into the Union as a State, and I am so limiting myself this morning.

Mr. Chairman and members of the committee, permit me to begin my testimony by expressing my thanks to this committee for permitting me to appear before you.

As you know, my statement in support of immediate statehood for Hawaii was presented to the 85th Congress on April 2, 1957, when former Under Secretary Hatsfield Chilson appeared before you in my behalf while I was a hospital patient.

There can be no possible question concerning the position of the administration on Hawaii statehood. Since this Congress convened, the President has on several occasions urged the Congress to admit Hawaii into the Union as a State. You are dealing this year not with an enabling act but with an admission act. We of the executive branch wholeheartedly concur in this approach and recommend that the bill before you be dealt with as expeditiously as possible.

Mr. Chairman, my 1957 statement discussed briefly some of the history of Hawaii, particularly as it applied to the various efforts of Hawaiians to become more closely identified with the United States. It is, I believe, particularly important that these aspects of the Hawaiian cause be kept closely in mind when deliberating upon the current petition of Hawaii for full and equal membership in our Union of States.

The record is clear. For over 100 years people of Hawaii have been dedicated to the goal of complete union with our mainland. The accomplishment of their goal became inevitable with the annexation of Hawaii in 1900 as an integral part of the United States. To me, there can be no question properly raised as to whether Hawaii should become a State. The question is simply, When shall Hawaii become a State?

As a personal observation, I believe that the language we all use in referring to the admission of Hawaii "into the Union" is not tech-

nically correct. Hawaii is as much a part of this Union today as any State. As an incorporated Territory, and the only one we have left, Hawaiians are subject to all of the obligations imposed upon any citizen in any State by the Federal Government. The problem arises because they are presently denied some of the most precious prerogatives of freemen, among them equal representation and the right to vote in national elections.

The record is also clear on another aspect of the subject before you. Since the incorporation of Hawaii into the Union, Hawaiians have developed their islands at a rapid pace. Any part of the Hawaiian economy, culture, philosophy, or political institutions that is examined today will be found to be a duplicate of or modeled after the way of life in vogue in the continental United States. Hawaii is the picture window of the Pacific through which the peoples of the East look into our American front room.

This is and will be particularly important in our future dealings with the peoples of Asia, because a large percentage of the population of Hawaii is of oriental or Polynesian racial extraction. The participation of the people of Hawaii in the full measure of the benefits of American citizenship will bring a fresh, new, informed outlook to our councils. More significantly, the peoples of those eastern lands washed by the waters of the Pacific will look through that front window of ours and take renewed notice that we do, indeed, practice what we preach. There can be no finer way to demonstrate the dynamic nature of our Union and the everlasting validity of the principles upon which our Republic was founded than by the admission of Hawaii as a State in this session of Congress.

While I have mentioned the racial background of some Hawaiians, let me hasten to point out that it would be both unfair and totally inaccurate to conclude that the objectives of Hawaiian people are in any way foreign to those of any other American group. No conclusion could be further from the truth. The overwhelming majority of Hawaiians are native-born Americans; they know no other loyalty and acclaim their American citizenship as proudly as you and I.

Their economy is self-sustaining. Hawaii is adequately prepared, financially, for the burdens of statehood. More than a million tons of sugar, worth nearly \$150 million, are produced annually from over 200,000 acres of cane. Capital investment in this industry amounts to nearly \$200 million, of which \$50 million is in irrigation facilities alone. In sugar production techniques and per-acre production, Hawaii leads the world, and its hourly rated employees receive the world's highest year-round agricultural wages.

Hawaii also produces 85 percent of the total U.S. supply of canned pineapple products; which is to say 65 percent of the world's production. Pineapple production utilizes about 75,000 acres of intensely cultivated land, and provides employment for over 22,000 people annually. The annual value of the output, estimated at about \$115 million, gives pineapple second rank to sugar.

Although other specialty crops for export may be considered as minor in comparison to those already named, they add annually about \$10 million to Hawaii's gross income.

Aside from agriculture and the processing of farm products, a second major source of income for the people of Hawaii is the tourist

trade. In 1922 the total number of visitors was less than 10,000. As late as 1941, the peak prewar year, it was only 32,000. In my statement presented to you in 1957, we pointed out that 133,000 tourists visited Hawaii in 1956. We now can tell you that in 1957 it had reached a total of 169,000, more than 5 times the number of 16 years before. That 169,000, incidentally, represents the number of persons staying 2 days or more. They spent nearly \$80 million in Hawaii in that year, and thus put tourism next to sugar and pineapples as a source of income from private industry.

Most of Hawaii's economic possibilities are already well developed, and the Territory is already a taxpaying partner, carrying a full share of the burden of supporting the Federal Government. Federal internal revenue collections in Hawaii last year amounted to \$166,306,000, a figure higher than in 10 of the present States: New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, and Alaska.

The geographical area of Hawaii is comparatively small (6,423 square miles) although not so small as three of our present States—Rhode Island, Delaware, and Connecticut. The Territory is thickly settled, comparatively, with a population estimated in June 1958, at about 635,000—larger than that of 6 of the present States: New Hampshire, with 584,000; Delaware, 454,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, approximately 214,000.

In fact, Hawaii today has a greater population than that enjoyed at the time of admittance of any of the States--other than the Original Thirteen—with the single exception of Oklahoma.

It is with some difficulty that I proceed with the balance of my statement. When testimony is limited to new material, it is extremely difficult to approach the subject of what can, today, be stated as an argument against statehood for Hawaii. So far as I am aware, there are no new arguments against Hawaii. There are none which were not thoroughly discussed in this committee in 1957, and thoroughly considered by the full Senate when the Hawaii bill was passed in 1954. With the exception of one subject, I would venture to state that every argument that is currently raised against Hawaii was in fact raised during the debates which led to the incorporation of Hawaii into our Union as an organized Territory in 1900. Many of these same arguments were made in opposition to the admission of Louisiana in 1812, which, as the members of this committee will recall, was the first State to be admitted from territory outside of that embraced by the Original Thirteen States.

One argument against Hawaiian statehood, that of Communist infiltration, seems to demand explanation here today. Historically, even this is not a completely new subject in debate and consideration of statehood, because the question of loyalty to the United States has, indeed, been raised in regard to other States prior to their admission. Debates in the Congress as to the extent of French influence in Louisiana, and that of the Spanish-speaking people of New Mexico are significant examples. The Communist question, of course, presents a new ramifications of the subject of loyalty not presented in the past, and that is whether any substantial segment of Hawaii actually is committed to a doctrine which advocates the violent overthrow of the very Government in which the overwhelming majority of Hawaiians seek to permanently become a full partner.

For myself, I believe that this committee and all advocates of Hawaiian statehood will squarely face the Communist issue.

The people of Hawaii have time and time again rejected completely the Communist philosophy and have thwarted every attempt of the Communist to influence their government.

The proposed constitution of the State of Hawaii contains a far-reaching prohibition against any Communist holding public office or public employment of any kind.

A perennial target of alleged Communists in Hawaii has been the law enacted by the 1949 Territorial legislature following a prolonged dock strike, which empowered the Territorial government to seize Hawaiian docks in the event of a strike. Notwithstanding four general territorialwide elections for the legislature, those laws are still on the books of Hawaii today. In each election the laws were an issue, and in each legislative session attempts have been made to repeal them. This is a prime example of the dogged determination of Hawaiians to stand firm on what they consider to be a matter of principle.

This committee needs no exposition of the rebuttals to the argument based on noncontiguity, upon the loyalty of Hawaiians, or upon the subject of whether approximately 635,000 people deserve equal representation. Normally, this last argument is directed to whether 635,000 people deserve to have two Senators when New York's almost 16 million, California's 14 million, and Pennsylvania's 12 million people have but two Senators. A succinct answer to the last argument can be presented by any student aware of the wise compromises agreed to in the Constitutional Convention by our Founding Fathers.

It helps, I believe, to keep the Hawaiian statehood movement in proper perspective. In my opinion, statehood for Hawaii will bring as much good to the other 49 States as it will to Hawaii itself. The admission of any fully qualified partner does strengthen the whole Union. As every one of the 36 States which have been admitted since the Original Thirteen entered, the Union has become more vibrant and has enjoyed at the very least a great moral uplifting.

We teach our children in our homes, churches, and schools to think in terms of fair dealing, and in terms of devotion to the principles of our Declaration of Independence and our Constitution. Hawaiians are teaching their children the same thing, but what will all this come to mean to these Hawaiian children if they witness again and again the denial of their petition for equal rights and privileges?

Gentlemen, in my opinion the major question before you is a question of when to take action. It is a moral question and one which raises serious implications throughout the world. It is my firm hope that the Hawaiian cause, which really involves a plea for simple justice, will be answered forthwith with the only remedy available—that which is granted by the Constitution to the Congress exclusively: the power to admit new States into the Union.

We have no other territory which is incorporated and ready for statehood, and Congress itself must first grant to any other territory the basic status of incorporation into the Union before any new apprenticeship can begin.

As you continue your deliberations, please feel free to call upon me or the personnel of the Department of the Interior for any information or assistance you may desire. We stand ready to assist in any way to bring about the immediate admission of Hawaii as a State.

Senator JACKSON. Thank you, Mr. Secretary, for your very fine statement.

Mr. Secretary, I was particularly interested in your statement with reference to the admission of Hawaii as it affects the Far East. I had the privilege of addressing the Territorial senate in Hawaii on Friday. At that time I said—

When Hawaii is admitted, it will come into the Union not just as the 50th State, but as our diplomatic State—our diplomatic representative, if you please—next door to over half the population of the world. Hawaii in the Pacific represents for America and the free world what West Berlin stands for in the Atlantic community—freedom. Hawaii is a living example of the real fruits of freedom. Here the Occident and the Orient have met in a climate of mutual trust, understanding, and respect. By precept and example they have given us in the Pacific the kind of environment which will have a great meaning throughout the Far East.

I don't think the impact of the formal admission of Hawaii as the 50th State can be overestimated in the field of foreign relations. Certainly there is nothing unusual about the fact that there are a lot of people from the Orient living in Hawaii. Hawaii was more or less the gateway to the west coast, the same as New York has been the gateway on the east coast to the people of Europe. All I can say is that I have the impression that maybe Hawaii will give more to the United States in improving our diplomatic posture throughout the world than any thing we can give to Hawaii. I say that because these arguments are made constantly about the number of orientals out there. I think it is wonderful. I think it makes it clear that America stands for freedom. We have demonstrated that the Occident and the Orient can live in the same community in a way where there is mutual trust, understanding, and respect. I say thank God for Hawaii, and the admission at this time is most opportune for the improvement of our standing throughout the free world.

Are there any questions of the Secretary?

Senator CHURCH. Mr. Chairman, I would just like to say I think it is very appropriate that Secretary Seaton should be the first witness in this hearing on this historic issue of Hawaiian statehood. I recall last year what great assistance the Secretary gave us in the fight to admit Alaska to the Union. I think his assistance continued from the opening day when the Interior Committee held hearings on the statehood bill, right through the battle on the floor of the Senate. He was always with us and his office was always open to us. From him and through his office we received much helpful information. I commend him, and I think, as I have said, it is very appropriate that he should launch the hearings this morning. I appreciate your statement very much, Mr. Secretary.

Secretary SEATON. Thank you very much, Senator.

Senator KUCHEL. Mr. Chairman, I observe in the committee room here this morning a number of young people, who, I assume, are students. Perhaps we may be able to revitalize what sometimes may be their waning faith in their Federal Government by what we do here today, and what I believe the Congress will do this session in respect to statehood for Hawaii. The Secretary of the Interior should be congratulated for repeating not only his unequivocal endorsement of statehood for a Territory whose people have enriched the theory of self-government, and who have given lavishly of their lives and

their fortunes in defense of American freedom, but in doing what he has done today.

I wish to observe, Mr. Chairman, that here is one place where the official pronouncements of the Republican Party, the party to which I belong, are precisely the same as the official pronouncements of the Democratic Party, to which my able colleague on my right, the chairman, belongs. Here is one instance where the pronouncements of both the Republican and Democratic platforms are precisely alike.

So I take it this is one instance where there ought to be a convincing unanimity among the members of Congress with respect to the problem of statehood for Hawaii. I am glad I can speak for the Republican side of the aisle in this committee to pledge unanimous support of this legislation.

I have one question. Some good but unmistakably mistaken citizens have suggested, Mr. Secretary, that statehood is hardly the answer for Hawaii's future, and to the contrary have recommended a commonwealth status for the Territory. I wonder if you would be good enough to indicate your own view with respect to that unhappy suggestion?

Secretary SEATON. Senator Kuchel, I think foremost we have to take into consideration the fact that the Hawaiians have not once but several times unmistakably registered overwhelmingly their desire to become a State and to enjoy the full privileges of American citizenship. As I pointed out in my statement, the people of Hawaii now bear all of the responsibilities of American citizenship—they are denied none of the responsibilities or any of the burdens—but they are denied one of the greatest prerogatives of citizenship which is the right of suffrage. We have the rather strange situation where under the Constitution a citizen of Hawaii could conceivably become President of the United States because he is a citizen. He could not vote for himself and neither could any of the fellow citizens in Hawaii support his candidacy.

The argument on the commonwealth status is completely dissipated because of the fact that the Hawaiians do not want it. They want statehood. If we were to give them or try to force upon them the commonwealth status, we would still have denied them those choice prerogatives of citizenship for which they have yearned so long for so many years.

Senator KUCHEL. I think that is an excellent comment. Is it not also true, for what little it may be worth, that the commitment made to the American people—and incidentally to the people of the Territory of Hawaii—in the political platforms of both parties would, of course, be breached if anything less than equality and statehood were given to the Territory by this Congress?

Secretary SEATON. Yes. I would completely agree with the Senator on that point.

Senator JACKSON. Senator Goldwater.

Senator GOLDWATER. Mr. Chairman, I want to take this opportunity to commend the Secretary for his usual excellent presentation. But I think it is far more important this morning that the presentation he made was made. It was short, it was concise, it was to the point.

I can't conceive of any American reading that or hearing it and not becoming convinced immediately of the desirability of admitting Hawaii as a State.

There are three of us at this table who lived in a Territory. We know something about the bitter fight that was staged under Territorial status. While I was quite young when my State became a State, nevertheless I can recall vividly the bitterness that existed, and still does to some extent, over the arguments against Arizona being admitted to the Union. Therefore, I came to the Senate 7 years ago with my mind made up about Alaska and Hawaii. It has been my privilege to have voted for Alaska. I certainly intend to do everything I can to see that Hawaii also becomes one of our States. It is no longer a matter of politics as it once was, fortunately. I think it is a matter of common decency and honesty on the part of the people of the 49 States to recognize their brothers in this one remaining Territory. I intend to vote for this and I intend to do everything I can to convince my colleagues of the wisdom of admitting this splendid group of people.

Mr. Chairman, I close by again thanking the Secretary for his very fine presentation.

Senator JACKSON. Are there any further questions of the Secretary? If not, Mr. Secretary, I understand that Mr. Stevens and other members of your staff will be available during the hearings to assist in connection with any technical questions that may arise later.

Secretary SEATON. Absolutely, Mr. Chairman.

Senator JACKSON. We thank you very much for your cooperation and your very fine statement.

Senator CARROLL. I have just one question, Mr. Secretary. How many other Secretaries of Interior have made this recommendation about statehood for Hawaii?

Secretary SEATON. Senator Carroll, I recall four. There may have been more. I recall four.

Senator CARROLL. Dating almost since 1946-47.

Secretary SEATON. I think that is right.

Senator CARROLL. That is the last 10 years.

Secretary SEATON. Yes, sir.

Senator CARROLL. So this is really a nonpartisan effort. We have had both Democratic and Republican administrations who have been urging statehood for the last 10 years to my knowledge. That is also your recollection, is it not?

Secretary SEATON. That is right, Senator. I believe, as I think you do, this is a moral question and not a political one.

Senator JACKSON. Thank you very much, Mr. Secretary.

Secretary SEATON. Thank you, Mr. Chairman.

Senator JACKSON. I have just received word from Senator Murray through his office that he is out of the city and our distinguished chairman regrets very much not being able to be here this morning. I will direct that the very clear and informative statement he made upon introducing the Hawaiian statehood bill into the Senate on January 9, 1959, be made a part of the record at this point.

(The statement referred to follows:)

REMARKS OF SENATOR JAMES E. MURRAY (DEMOCRAT, MONTANA), CHAIRMAN OF THE SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, UPON INTRODUCTION OF S. 50, STATEHOOD FOR HAWAII, JANUARY 9, 1959

Mr. President, I send to the desk for appropriate reference a bill to admit the populous and prosperous American Territory of Hawaii into the Union as a State of the United States. Appropriately, I have requested that the symbolic number S. 50 be assigned to this measure.

Joining me as sponsors of this historic legislation are more than 50 distinguished Senators from both sides of the aisle.

It is significant that this list of sponsors includes so many able Senators from both parties. This year, as in past years, Hawaii statehood is a bipartisan and a nonpartisan cause. It has had the support of President Eisenhower as it had of Presidents Truman and Roosevelt.

Mr. President, legislation on statehood for Hawaii has been before the Congress of the United States, off and on, for four decades, beginning with H.R. 15865 in 1919 in the 65th Congress. Hearings and investigations of the issue by Congress began in 1935, when the Honorable Samuel W. King, who was then the Delegate from Hawaii and subsequently became Territorial Governor, persuaded the House Committee on Territories to appoint a subcommittee to visit the Islands. That group made the first of a long, long series of investigations and held hearings on statehood for Hawaii. During the past 20 years 18 more hearings have been held, and out of this number, all but one have concluded with a favorable report.

For the last 12 years, the Interior Committee of the Senate has had a Hawaii statehood bill actively before it, and, beginning with the 80th Congress, has considered it actively in each and every Congress during that period. In 1950 we held the first of a series of extensive public hearings on Hawaii statehood. The bill before us then was H.R. 49, and, after exhaustive committee work, we favorably reported that measure to the Senate, with amendments.

In the 82d Congress we held executive hearings on S. 49, and again favorably reported it to the Senate.

In the 83d Congress two sets of public hearings were held in Washington after an on-the-spot inquiry conducted by the then committee chairman, Senator Hugh Butler and two members of the staff on each of the Hawaii Islands. The committee then reported the measure to the Senate, where it was subjected to full-scale debate for a month. The amended measure passed the Senate.

The measure I am now introducing is substantially the same measure that was the subject of such careful and painstaking scrutiny by the committee in 1953 and by the full Senate in 1954, except for approval of the Hawaiian State constitution. In marked contrast with the Alaska bill, upon which we acted so notably last year, no new proposals have been presented, nor new problems arisen, since that time.

However, in the 84th Congress we held hearings on S. 49, which, as noted, was in its substantive provisions the same as the bill passed by the Senate in the 83d Congress.

Again, in the 85th Congress, hearings were held by the Subcommittee on Territories under the able chairmanship of the distinguished Senator from Washington [Mr. Jackson] on S. 50, and the measure was reported to the Senate with technical amendments and clarification changes. Two members of the committee, the Senator from Colorado [Mr. Carroll] and the Senator from Idaho [Mr. Church] conducted field investigations in Hawaii during the recess. Both are enthusiastic supporters of statehood and are cosponsors of this measure.

I cite this long and impressive legislative history, Mr. President, only to emphasize that the facts and issues concerning statehood for Hawaii already are well known. A most complete record is before this body.

I cannot believe that any public purpose would be served by long and protracted public hearings. However, I do urge that hearings be held, but that they be limited, as far as possible, to new material or to the reception of the views of those persons in opposition to Hawaiian statehood.

Mr. President, I have been a student of statehood for Hawaii for many years, and recently made a personal inspection trip to the Territory on behalf of the committee. I visited all of the islands of the Territory, and talked with persons in all walks of life and of various political persuasions.

From my long study and my personal findings, I am convinced that the 600,000 American citizens of Hawaii meet each and every one of our historic tests of readiness for statehood and fitness for it. The overwhelming majority of the people want statehood and are ready, willing, and able to support it.

I am equally convinced that statehood for Hawaii would be in the best interests of the Nation as a whole.

Granting statehood to Hawaii will be in the historic tradition under which we have grown great as a Nation.

Senator JACKSON. The Chair has received requests from members of the committee who would like to make a statement on Hawaii. I will call them in the order they have been submitted.

Senator Church.

STATEMENT OF HON. FRANK CHURCH, U.S. SENATOR FROM THE STATE OF IDAHO

Senator CHURCH. Thank you, Mr. Chairman. I should say at the outset, Mr. Chairman, that during the month of November my colleague and fellow member of this committee, Senator Carroll, of Colorado, and I, had an opportunity, together with three Members of the House of Representatives, to make an informal investigation of the statehood question through a visit to the islands. I would like at this time, inasmuch as no formal report has been submitted to the Senate, to read this statement into the record, for it is in the nature of a report on that visit.

Mr. Chairman, we are fast approaching the time of decision on whether Hawaii is to become our 50th State. That decision should be made in this session of Congress.

If our answer is "yes," then we will have welcomed in, as an integral part of our country, the last of our incorporated Territories. Statehood will confer upon the people of the islands, long since citizens of the United States, fundamental rights of self-government equal to our own. They will then elect their Governor, as we do ours; they will then be entitled to two U.S. Senators and a voting Representative in the Congress; and they will participate with us, every fourth year, in the election of the President.

But if our answer should be "no," let no one be deceived that Hawaii will remain indefinitely an American Territory. To be neither in nor out, but to stay a colony, is no more acceptable to our fellow Americans in Hawaii than it was to our own forefathers. They were subjects of the English King; they bore arms in his defense, and paid the taxes he levied upon them. Again and again, they petitioned him, through his appointed governors, for redress of their grievances, but he refused to grant them more than limited rights of self-government. So their call to reason, "No taxation without representation," became, at last, a call to arms.

Yet, despite this national birthright, we are today denying our fellow citizens in Hawaii many of the same prerogatives refused our forefathers by George III. In 1957, the Hawaiians paid over \$150 million in Federal taxes, a larger total than several of the existing States, but Hawaii had no representation in Congress to vote either on how much tax should be collected, or upon how the money should be spent. In time of war, Hawaiians shoulder arms with the rest of us, yet they cannot vote for the President who shapes their foreign

policy, or for representatives in Congress who together hold the purse strings over their defense.

To remedy these inequities, the people of Hawaii want statehood. They are tired of standing, hat in hand, at the door of our Union. But what we must understand is this: If we refuse to let them further in, they will, in due course, demand to be let further out.

That we actually face a choice between these alternatives, my recent visit in Hawaii has convinced me. There I was privileged, as one of five Members of Congress from the Interior Committees of both Houses, to conduct a joint investigation of the statehood question. The House committee was represented by B. F. Sisk (Democrat, California), E. Y. Berry (Republican, South Dakota), Leo W. O'Brien (Democrat, New York), while my colleague, Senator John Carroll and I represented this committee of the Senate. We talked with hundreds of Hawaiians from all walks of life. We listened to every argument, pro and con. The consensus of this opinion, together with the most current information we could gather about social, economic, and political conditions in Hawaii, left me strongly persuaded the islands are ready for statehood, and we had best admit them now.

There is no doubt but what the vast majority of Hawaiians favor statehood. Even before Pearl Harbor, a plebiscite showed the population endorsing statehood by a margin of 2 to 1. Since then, support for statehood has steadily grown stronger. In 1950, a proposed Hawaii State constitution was approved by the people of the Territory by a vote of more than 3 to 1. Today I would judge that the Hawaiians want statehood fully as much as did the Alaskans, who, a short 6 months ago, proved their sentiments when five out of six voted to ratify the bill admitting Alaska as the 49th State.

The proponents of Hawaiian statehood believe their case just as deserving as was that of Alaska. Indeed, the islands' economy is far more developed. Sugar and pineapple are produced in abundance by the best paid field workers in the world. The exports of Kona coffee are increasing. On the big island of Hawaii itself, the 300,000-acre Parker Ranch is next to the world's largest for Herefords, while to every island the tourists come in burgeoning numbers, beckoned by the gentle trade winds, in quest of the dazzling beaches and inviting waters. Hawaii, for all its tropical beauty, is bustling and prosperous. No one can charge it with being a "poor relation."

In other ways, too, Hawaii meets all the traditional tests for statehood. Its population of over 550,000 exceeds that of five present States, and closely approaches that of my own State of Idaho. Its islands comprise an area of 6,423 square miles, making it larger than Delaware, Rhode Island, or Connecticut. Those who remonstrate that Hawaii is "too remote," fail to reckon with the age we live in. From Boise, the capital of my State, Honolulu can be as quickly reached by air as Washington, D.C.

Finally, the loyalty of the people of Hawaii has been proven in the hardest of tests. Americans of Japanese ancestry constitute more than a third of the population of Hawaii. Yet, when the Japanese torpedo bombers devastated our Pacific Fleet at Pearl Harbor, and the threat of imminent invasion haunted the islands for months following, not a single act of sabotage was ever traced to a resident Japanese-American. Rather, the young Japanese volunteered by the

thousands for Army service. In the Italian campaign, their casualties were so heavy that their famous outfit was dubbed "the Purple Heart Battalion," winning seven separate Presidential citations for valor.

It is true that Hawaii is the melting pot of the Pacific. The people are a polyglot mixture of native Hawaiian, Caucasian, Japanese, Filipinos, and Chinese, and crosses between. But it is also true that Hawaiian life and culture, though it clings naturally to many happy phrases, songs, and customs out of its colorful past, is nevertheless essentially American. The cities, the stores, the homes, the streets, and schools, all bear the unmistakable stamp of the United States.

We met with public officials and private citizens alike, with teachers and students, with judges and housewives. We talked with businessmen and labor leaders. I had a morning's conference with the presidents of "the Big Five", the dominant commercial interests that were once opposed to statehood, but now favor it.

When we left the islands, I came away convinced that the interests of our country urgently require that statehood be no longer denied Hawaii. Already a Commonwealth Party has been activated there. I talked with several of its leaders, who would like to see Hawaii set loose from the United States, absolved of all federal taxes, and granted full rights of self-government, while the people retained for themselves American citizenship and the continued protection of the American Flag. Patterned after the British system, the Commonwealth idea is alien to our American tradition of building one nation, rather than loose-knot empire.

Today, this Commonwealth Party is small. The people of the islands are not seeking such a "free ride." But if statehood is refused Hawaii, the commonwealth idea will grow rapidly. I shall not forget the parting word of one prominent commonwealth proponent. "Senator," he said to me, "right now, the people of these islands want statehood. If you refuse it, they will turn to our solution, and the time will come when you will have to recognize the independent Commonwealth of Hawaii."

To us on the mainland, facing westward toward an Asia awakening from its ancient slumbers, Hawaii is much too vital not to be made an inseparable part of the United States.

Senator JACKSON. Thank you very much, Senator Church.

Senator Carroll?

STATEMENT OF HON. JOHN A. CARROLL, U.S. SENATOR FROM THE STATE OF COLORADO

Senator CARROLL. Thank you, Mr. Chairman.

First of all I want to comment on the very excellent presentation by the Senator from Idaho, Mr. Church. We were in Hawaii last November, Senator Church and I, and we met three members of the House, Representatives O'Brien of New York, Representative Sisk, of California, and Representative Berry, of South Dakota.

I think at this time we ought to put into the record the report of the House Members. This is report of a special committee of the Committee on Interior and Insular Affairs of the House of Representatives, 85th Congress. It is a very excellent report and I hope will

be read by every Member of the Senate. It should go into the record because it will have great historical significance, too, for students who read this someday in the future.

Senator JACKSON. Without objection, the report, submitted by Congressman Leo O'Brien, will be included in the record at this point.

(The report referred to follows:)

HAWAII STATEHOOD

Report of a Special Subcommittee of the Committee on Interior and Insular Affairs, House of Representatives, 85th Congress, 2d Session, pursuant to House Resolution 91

Pursuant to authority granted the Committee on Interior and Insular Affairs by House Resolution 91 (85th Cong.), the undersigned members of the Subcommittee on Territorial and Insular Affairs visited the Territory of Hawaii during the period November 24 to December 8, 1958, to make intensive inquiry with respect to H.R. 49 (85th Cong.) granting statehood to the Territory.

On the basis of comprehensive and exhaustive study, including numerous interviews with a complete cross section of the population of the Hawaiian Islands, your subcommittee believes that Hawaii is entitled to statehood by every fair test and precedent.

This area of our Nation, last incorporated Territory under the American flag, has been in training for statehood for 60 years. In 1898 it became a firm and irrevocable part of the United States. Its people are our people. Its philosophy is our philosophy. Its loyalty, like its language and currency, is identical to ours. Its servicemen are our servicemen, and its flag is our flag. Except for the full flowering of the voting franchise, these people are us. They may travel anywhere in the 49 States.

Hawaii has been denied statehood in the past by close margins in the Congress of the United States. With the admission of Alaska as the 40th State, it would be unthinkable to delay further the fruition of Hawaii's magnificent dream of statehood and its demonstrated capacity for, and right to, full brotherhood in the Union of States.

Your subcommittee brought neither a whitewash brush nor an ax to its survey task. We met head on, and with objective eyes and ears, the vexing and controversial subject of communism in the Islands, an issue which has been raised before and, we know, will be raised again in Congress.

Each member of our committee arrived in Hawaii with an open mind, prepared to recommend against statehood if he developed serious doubt about the loyalty and political maturity of the people, or their ability to cope as adequately with communism as do the people of the 49 States.

We deliberately decided against public hearings for two reasons. The files of Congress are jammed with the records of such hearings, some of them very recent, and all the testimony therein was available to us. The questions we desired to ask could be answered best by going into the highways and byways among the people. That is why we deserted hearing rooms for homes and street corners, labor halls and business marts, schools and churches, professional groups and law-enforcement agencies, farmers and politicians, chambers of commerce and veterans' organizations.

Among all these we found our answers. From these people, literally thousands of them, we received assurance that they recognized their problems and were able and willing to solve them now and when they don the coveted mantle of statehood. We found them ready to admit that communism in the Islands existed, but we learned that they abhor it as we do and are meeting its evil challenges as capably as do people and government in the 49 States.

During most of our 15-day inquiry in Hawaii, two members of the Senate Committee on Interior and Insular Affairs were engaged in a similar inquiry. We exchanged information with them, but we cannot, of course, include their conclusions in this House document.

Among the individuals and organizations with whom we conferred were the Governor of Hawaii, the Federal Bureau of Investigation, IMUA, officers and members of the ILWU, the head of the Territorial Subversive Activities Commission, the Honolulu Chamber of Commerce, the statehood commission, members of the Federal and Territorial judiciary, members of the Territorial legislature,

STATEHOOD FOR HAWAII

representatives of the Democratic and Republican Parties, top officials of the sugar and pineapple industries, ranking members of our Armed Forces in the Pacific, members of the faculty of the University of Hawaii, and countless others.

With the exception of the FBI, which was not requested to take a position, these representative and highly placed and knowledgeable people were predominantly for statehood and convinced that all existing and future problems could be handled thereunder.

Underscoring the scope and thoroughness of our study, we list below the organizations represented by two or more members which met with us at a session on the island of Maui. The list follows:

East Maui Community Association	Maui League of Republican Women
Haleakala Lions Club	Maui Merchants' Association
Hawaii Government Employees' Association	Maui Outdoor Circle
(Maui chapter)	Maui Planters Association
ILWU Local 142	Maui Rotary Club
Kahakili Chapter No. 4, Order of Kamehameha	Maui Teachers Association
Kahului Business & Professional Association	Maui Toastmasters Club No. 910
Kahului Kiwanis Club	Maui Toastmistress Club
Kahului Lions Club	Maui Young Democrats
Kahului Rotary Club	Maui Young Republicans
Kamchameha Alumni Association	Puunene Community Association
Kihel Community Association	Republican Party
Lahaina Improvement Association	United Public Workers
Maui Chamber of Commerce	Wailuku Improvement Association
Maui County Committee on Children and Youth	Wailuku Professional and Businessmen's Association
Maui County Medical Society	Club 100
Maui District Nurses Association	DAV
Maui District PTA	Maui AJA Veterans Club
Maui Junior Chamber of Commerce	442d Veterans Club
	West Maui Veterans Club
	Hawaiian Airlines
	TPA Aloha Airlines
	Farmers' Home Administration

OTHERS

Harold W. Rice, senator from Maui County for six terms.
 R. R. Lyons, chairman, Maui Economic Development Association.
 C. H. Burnett, Jr., manager, Kahului Railroad Co.
 W. J. Lanquist, Bishop National Bank, Kahului branch.
 Jack Vockrodt, Bank of Hawaii, Kahului branch.
 Donald H. Tokunaga, general manager, Budget Finance Plan.
 Mrs. Ben Baker, public relations, Girl Scouts.
 James Ohta, Maui Scout executive.

PRESS

Charlie Young, Star Bulletin. Hank Sato, Maui News.
 Jack Teehan, Star Bulletin. Lou Head, Honolulu Advertiser.

Your committee took a long look at the effect of communism in the islands since communism is the prime target of many of those opposing statehood.

We were told by those in positions to know there was no evidence to indicate or prove that those men and women who had previously been named by congressional committees or convicted in the Federal court under the Smith Act of being Communist or affiliated with the Communist International had changed their Communist status or connections. None of them had even offered to go before any Government official, either of the Federal or Territorial Government, disclaiming such previous connections or beliefs.

On the other hand, Jack Hall, regional director of the ILWU, named in all committee reports as having been a card-carrying Communist and member of the Communist International and who, with five others active in ILWU, was indicted and found guilty in Federal court of violation of the Smith Act, making it a criminal offense to advocate and teach the overthrow of the Government by force, told your committee that he and the other members of the ILWU

would take an oath they had not been affiliated with the Communist International for the past 5 years. It is, however, interesting to note that he had offered none of his services, knowledge, or information either to the FBI or to the subversive activities committee of the Territory.

In fairness, the committee also wishes to point out that the ILWU organization maintains not only a well-staffed and well-equipped main office in Honolulu but a county office on each of the island subdivisions with a staff of several employees, a labor hall with dormitory and recreational facilities. It has a representative in each district or plantation whose job it is to maintain close contact with workers and members of the organization. These district officials meet on union business in Honolulu every 60 days—one of which meetings we attended. These meetings, in addition to the publications of the organization, are an effective means of transmitting and distributing union ideas, ideals, and purposes throughout the islands. They could be made use of for political purposes, purposes of propaganda, etc.

The committee was informed, however, that known Communists had not been elected to high Territorial offices. Union support seems to have gone primarily to liberal candidates, and in instances, without seeming regard to political affiliation of the candidate.

On the other side of the coin, it should be pointed out that no present State in the Union is attempting to do the kind of effective anti-Communist work that is being done on the islands. The Territorial legislature has authorized and established a Territorial subversive activities committee which reports to but is not subservient to either the Governor or the legislature. It is headed by William B. Stephenson. Cooperating with the FBI they have complete files on all named and known Communists and have complete information on subversive activity.

In addition, there is an organization of patriotic men and women known as IMUA with the dedicated purpose of keeping the public informed on anti-American activity. It has an office, a staff, all available information and files and, through use of the radio, television, and newspapers, keeps the public informed, not only as to activity of Communists and the threat of communism but also on facts concerning the activity of those known to be or to have been connected with the Communist movement. It is probably safe to say that the public in Hawaii is kept better informed on the threat of communism than is the public in any similar community on the mainland.

There are about 25 identified Communists in Hawaii. We have no exact knowledge as to the number of so-called fellow travelers but investigating agencies told us they know of no additional Communists since the previous congressional reports. We were unable to find any evidence in the social fabric of Hawaii that communism had made any substantial progress or that the community as a whole was unable and unwilling to cope with the problem.

We were told that the FBI investigations, plus the Federal court convictions, had "crippled" the Communist apparatus in Hawaii and that, with the continued white light of publicity and the alert citizenry, it would remain crippled.

We were also told that no proof exists of Soviet espionage contacts on the part of Communists in Hawaii.

We would like to be able to report that the day is imminent when there will not be a single Communist in Hawaii, but that would be the utopia which our States also desire but cannot achieve.

The important question is whether the communism which exists can and will be controlled. We so believe.

The economic control of the islands by the ILWU, some leaders of which have been identified in the past as homegrown or mainland-imported Communists, goes without saying. That union, with more than 20,000 members, can and has tied up the civilian docks. It can and has idled the sugar and pineapple industries, arch stones of the island's economy. The question is whether that power can or has been used for bargaining or subversive purposes, or both.

We deplore the stupidity of the political strike which was called by ILWU leaders 2 years ago when the Eastland committee went to Hawaii for hearings on communism. It should be noted, however, that two-thirds of the ILWU workers refused to engage in that strike. It was stated to us, moreover, that some of those who did strike felt they were protesting, not the Communist Inquiry but what they regarded as an antilabor move.

We cannot pass judgment on the motives of those who did strike nor can we minimize the danger of any political strike. However, it should be noted that the crippling of the islands' economy, regardless of motive, would be as harmful to

the interests of Hawaii and the mainland whether Hawaii were a State or a Territory. We should point out that some labor unions in some strategic parts of the United States have power to cause economic havoc and that, in a few instances, certain leaders in those unions have been identified as Communists.

Our committee, from past experience, knows that the major argument against statehood for Hawaii will be, as it has been in the past, the contention that the Communist apparatus in Hawaii, especially that part linked with ILWU leadership, is so powerful that, in the event of statehood, it could and would be able to elect to the governorship, the legislature, the courts, and the U.S. Congress Communists or persons soft toward communism. One Member of Congress has stated that three or four Soviet agents would be elected to Congress.

With this we must disagree sharply. The voters of Hawaii would never permit that to happen.

The ILWU, it is conceded, is a strong political force, comprising about one-ninth of the labor forces on the islands. Its leaders have engaged in political activities, backing and opposing candidates and issues.

It is true that ILWU-endorsed candidates have been elected, but in many instances they would have been elected without the support of ILWU leaders because of their general popularity.

The ILWU fought tooth and nail against the proposed Honolulu city charter, but it was approved by 4 to 1.

The ILWU opposed vigorously the Territorial law permitting seizure of the dock fronts by the Government. The legislature enacted it anyway. The union repeatedly sought its repeal and failed.

In the most recent elections numerous ILWU-backed candidates, some of whom were union leaders, were soundly defeated. In other instances the ILWU sought to "fatten its batting average" by endorsing candidates who were sure to win anyway. Despite this strategy, the union made a poor showing.

We are convinced that where a community or a State is dominated by Communists or has a substantial number of Communists their efforts show up in the vulnerable field of education. We spent many hours in the schools of Hawaii, from the elementary schools to the colleges. If the Communists sought to plant their evil seed there, it fell on extremely barren ground. That was attested to by our own observation and the solemn assurances of educators and clergymen.

During our visit to the University of Hawaii, we spent considerable time with the president, some regents, and some faculty members. We learned that most of the faculty came from colleges on the mainland, all the way from the west coast to the east coast. We asked these men the straight question:

"Have you found your student body receptive to or allied with communism?"

This was the answer:

"We find less interest in communism in the University of Hawaii than in most of the mainland colleges, particularly in the East."

Because of claims in some quarters that because of the oriental strains in the mixed population of Hawaii the people are less loyal to the United States than are their fellow citizens on the mainland, we looked closely into that subject.

We, all of us, saw and met in Hawaii an intelligent, gentle, loyal people of whom our Nation should be proud. We saw the actual operation, without strain or stress, of the American "melting pot" of which we speak so proudly and do so little to achieve in some of our larger mainland cities.

If the races on the mainland, races stemming back ethnically to other lands, were to mix as successfully as they already have in Hawaii, our democracy would be advanced by a century.

It is absurd to question whether the people of Hawaii would be loyal in the event of some future war or disagreement with nations from which they have their ethnic strains. It is absurd because the test has already come and been weathered magnificently. Proof of the loyalty of these people is written in bloodshed on the battlefield, in battle stars, in the records of military intelligence and the FBI. It is written on the gravestones of countless military dead.

All the members of your committee had important roles in the 85th Congress in winning statehood for Alaska. Admission of that 49th State, after years of frustration, greatly simplified our work in Hawaii and lessened our task in preparing this report, because—

1. No longer is it necessary to answer the contention that 575,000 people in Hawaii should not have the same number of U.S. Senators as existing States,

such as heavily populated New York, California, and Pennsylvania. We gave the 212,000 people of Alaska 2 Senators.

2. We do not have to answer the possible claim that Hawaii might not be able to support statehood economically. Hawaii is much more advanced economically, as of now, than is Alaska.

3. Creation of the 49th State out of the Territory of Alaska ended the alleged precedent that we should not admit as States Territories noncontiguous to the other States. Many miles of foreign land lie between the first 48 States and the new 49th.

We found little sentiment for commonwealth in Hawaii, less than in Alaska prior to statehood. We believe the people of Hawaii, except for a rather articulate minority, favor statehood by at least as wide a margin as did the people of Alaska, who voted 5 to 1 for statehood last fall.

When a Territory seeks statehood, as now does the last remaining incorporated Territory under the American flag, it is fair to ask what the new State will have to offer the rest of the Nation. We spoke of oil and other largely undeveloped resources when we were asked the same question about Alaska, but we believe our greatest resources are our human resources, abundantly present in Hawaii.

We believe that admission of Hawaii, with its mixed races and its geographical position, will vastly improve our posture and relationship throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million free and friendly.

This is the considered opinion of the military men in charge of our vital interests in the Pacific. They, and we, know what those 800 million people in the Pacific area will say if we deny statehood to Hawaii after granting statehood to Alaska.

They will say that our protestations of regard and friendship are untrue and that we have denied full brotherhood to American citizens because many of them come from the same ethnic lines as those we call friends in an area vital to our very existence as a nation.

Your committee went to Hawaii in an objective mood. We performed our task as best we could. We know all the difficulties and dangers. But we also know the people who will administer the new State. Calmly and soberly, we urge that the 80th Congress, as soon as possible, place in the flag a 50th star called Hawaii.

Hon. LEO W. O'BRIEN, *Chairman.*

Hon. B. F. SISK.

Hon. E. Y. BERRY.

Senator CARROLL. I think there have been some 20 hearings on Hawaii statehood. When our group went to the Territory last fall, we developed a new technique. We decided not to hold public hearings. We determined that we would go out on the highways and byways, as Senator Church has explained. In the words of this committee—

We deserted hearing rooms for homes and street corners, labor halls and business marts, schools and churches, professional groups and law-enforcing agencies, farmers and politicians, chambers of commerce and veterans organizations.

As a matter of fact, Representative O'Brien and I, at the very time Senator Church was meeting with the presidents of the Big Five, were down talking to the FBI. We wanted to find out about the Communists, find how many were in the Hawaiian Islands. The report indicates the results of that conference. We were told that there were 25 known Communists. They are Marxists, with no connection of any counterespionage, insofar as they knew.

We explored this concept of communism. I want to say for the record that it was in the 80th Congress, now almost 12 years ago, that we voted for Hawaiian statehood. It passed in the House at that time. I think it has passed two or three times since. But Hawaiian statehood has always been caught in one unfortunate controversy or

another. In those days they questioned—I say “they,” some—questioned the loyalty and patriotism of the people of the Hawaiian Islands. The overwhelming evidence was that they are loyal patriotic people, with a wonderful war record. The Korean war again was a demonstration of a wonderful war record of these people coming from the islands.

Then the islands got caught in a great strike and a committee from the Senate investigated. Again rose the specter of communism in the islands. All the problems raised by these events have now been answered by investigation, by intelligent people in this country and in the islands themselves; in my opinion our inquiries, as I say, were made of Republicans and Democrats from all walks of life.

I would say that the sentiment for Hawaiian statehood runs about 6 to 1. In this respect I want to say again for the record, ours was a new study. It had not been done before. Here is the case for Hawaiian statehood. Hero is an editorial from the Denver Post. The Denver Post is an independent Republican newspaper. It has a series of articles written by the associate editor of the Denver Post, 11 in number, dealing (1) with its present economy, (2) with Hawaii's fight for statehood in the 103 years, (3) Hawaii goes against trend for self-rule, and then the fourth one, fears help statehood foes. This analyzes every group. Another article, “Hawaii's Red Hunters Active.” Another article, “Hawaii Unionists Prospering Under Hall.” Hall was supposedly at that time a Communist leader. “Longshoremen Fail So Far To Influence Politics.” It goes into the politics of both political parties.

In other words, there are 11 wonderful articles here that I think ought to go in not only for those who will read the record, but for the students of the future. This last article, as I have mentioned, “The Case for Hawaiian Statehood.” I ask, Mr. Chairman, that these be put in their chronological sequence in the record. I think it will be very helpful to those who read the record. It is voluminous but wonderfully done by a very learned associate editor of the Denver Post. It is new material and I think it ought to be put in the record.

Senator JACKSON. Without objection, it will be included in the record.

(The information referred to follows:)

[From the Denver Post, Jan. 11, 1958]

FORTY-NINTH STATE?—PARADISE ISLES TURNING INTO INDUSTRY HUB

(EDITOR'S NOTE.—In the belief that statehood for Hawaii is one of the most important and misunderstood issues facing the American people, the Denver Post is presenting a series of articles on the subject, of which this is the first.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Destiny is catching up with the Hawaiian Islands, the beautiful land of the hula, the hibiscus and the orchid, a place of long white-sand beaches, surf riding, luxury hotels, cattle ranches, and sprawling plantations.

Mainland financiers and industrialists have “discovered” Hawaii. Henry J. Kaiser and Clint Murchison, Jr., the Texas oil tycoon, have moved in with millions of dollars for new projects. Enough bauxite ore to supply the United States with aluminum for 100 years has been prospected. The Standard Oil Co. of California is about to start a \$30 million plant to refine oil shipped in from

Indonesia and Borneo. Large deposits of titanium, one of the new miracle metals, have been located.

Territorial government offices are buzzing with plans for \$150 million worth of public projects over the next 5 years.

BUILDINGS RISING, TRADE GROWING

In Honolulu, capital of the Territory, new downtown office buildings are rising. This is the hub of a rapidly growing trade with the Far East. At Honolulu International Airport there is a constant flow of planes to and from California, 2,300 miles away; to and from Fiji, the Philippines, Australia, and Hong Kong. Eight ocean-spanning airlines put in here.

In the harbor, Japanese freighters have berths near the busy docks of the Matson Navigation Co. In all, 12 ship lines provide regular service for freight and passengers.

Population is booming--up 17 percent since 1950 as compared with an increase of 11 percent on the U.S. mainland during the same period. The islands now have 540,000 civilian residents. Seventy-five percent of them are on Oahu alone. Military personnel numbers perhaps 60,000 more.

Government planners have as a long-range objective the creation of 7,000 new jobs a year to take care of the growing labor force. They are eyeing such possibilities as the manufacture of newsprint from bagasse (the pulpy residue left over from the extraction of raw sugar from cane), the development of a timber industry (since nearly all lumber is now imported from the mainland) and the use of the islands' plentiful lava resources for building material.

YOUNG TEXTILE INDUSTRY FLOURISHES

Every few days Honolulu newspapers run lists of new businesses which have been incorporated. A youthful but flourishing textile industry devoted to turn-out colorful Hawaiian and Polynesian prints for dresses and shirts is already established. An electronics firm turns out tubes and other equipment for military installations as well as the civilian population.

This is the new Hawaii of which the flocks of tourist visitors are only vaguely aware.

This is the Hawaii whose story has not yet been fully told to the U.S. mainland. It is an important story, however, because it provides a new and impelling reason for the granting of statehood to this Territory.

Out here, where the Pacific is warm and blue, a vacation paradise is in the throes of fast-moving industrial and business expansion. California is only 4½ days away by ocean liner, only 7½ hours away by air.

In about a year when passenger jets are placed on the Honolulu run the air time will be cut to 4½ hours. Hawaiian's confidently expect that during the early 1960's travel time to San Francisco will be reduced to a little more than 2 hours.

TRADE CENTER OF THE FUTURE

This is no sleepy community. The plantations of the Big Five sugar companies are still important but they no longer make up almost the entire economy of the islands. Businessmen talk of the sure advent of atomic energy to supplement existing powerplants which operate on imported fuel oil. And always in everyone's mind is the realization that at some time in the future the great bulk of world commerce will no longer move across the Atlantic but across the Pacific instead.

Of course, the paradise which was the "old Hawaii" is still here. And it is important, too. Tourism is the fourth largest source of income for the islands and may become the No. 1 source within a few years.

Government defense installations on the islands provide the greatest single source of income. Here are the headquarters for America's farflung bases all over the Asian area. Sugarcane and pineapples are the No. 2 and No. 3 sources of income respectively.

But tourism is expanding phenomenally. In 1947 the islands had 25,000 visitors. In 1957 the number exceeded 160,000—an increase of more than 500 percent.

Waikiki Beach, only 3 miles from downtown Honolulu, is the busiest of all tourist spots—and for good reason. It has everything a tired businessman from Denver or a retired couple from Dubuque, Iowa, might hope for—palm trees, the

fragrance of plumeria blossoms, rolling waves just right for surf riding, outrigger canoes, hotels, shops, luaus (Hawaiian feasts), music and hula dances.

VISITORS MISLED

Hawaii loves its tourists. But many Island officials and businessmen are beginning to have misgivings about the overemphasis (provided for visitors) on old Hawaiian ways, barefoot dancing and luaus where the fish are wrapped in ti leaves for baking.

As one of them put it the other day: "We deliberately foster the idea that Hawaii is a languid, Island paradise where life is charming and untroubled. As a result visitors go away with but little conception of the new Hawaii of burgeoning industry and trade. Without that understanding, the need for statehood for Hawaii is less compelling and real."

The appearance of the new Hawaii has created new problems which an absentee government, located 5,000 miles away in Washington, cannot solve.

It is to this "new" Hawaii and the statehood problem that these articles are addressed. Waikiki, the Nation's fastest growing playground, is comparable, perhaps, to Miami Beach 20 years ago. But Waikiki is not Hawaii by any means. The imperative reasons for statehood are found elsewhere.

[From the Denver Post, Jan. 13, 1958]

FORTY-NINTH STATE?—HAWAII'S FIGHT FOR STATEHOOD IN 103D YEAR

(EDITOR'S NOTE.—This is the second in a series of articles discussing the question of statehood for Hawaii. This article traces the birth of the statehood issue in the islands.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Efforts to make Hawaii a State of the United States have been going on for 103 years now. At times these efforts have been sporadic. For the last 22 years, they have been sustained and consistent.

It was in 1854 that King Kamehameha III of Hawaii proposed to the United States a treaty whereby the Islands would have become a State and he, and his chiefs would have received \$300,000 a year from the Federal Government as support money.

Kamehameha III was no savage chieftain. He had his faults but he was a man of considerable culture. He was a son of Kamehameha the Great, the King who had united the eight principal Hawaiian Islands under a single rule in 1796.

In 1839, Kamehameha III had given the islands their Magna Carta, a declaration of rights and laws which included the right of religious freedom. In 1840 he granted the first written constitution which set up a legislative and judicial system.

He was the author of land reforms. His words, "Un mau ke ea o ka aina ika pono" (the life of the land is preserved by righteousness), still appear on the Hawaiian territorial coat of arms, although there is some disagreement over exactly what he meant by them.

In 1816 Russians had made an abortive attempt to take over the islands. Later a group of Englishmen did take over the Islands, without authority from London, for a time. These experiences convinced Kamehameha III that his islands should become part of the United States, lest they fall into other hands.

DEATH STALLS UNION

He died before his plans for union had gone far. Washington had not taken his proposal very seriously. But U.S. influence in the political and business life of the islands continued to grow.

Sentiment for annexation to the United States erupted into a brief but effective revolution against Queen Liliuokalani in 1892. The McKinley Tariff Act had depressed the islands' sugar industry. The American plantation owners saw annexation as a means of getting for themselves the bonus prices sugarcane growers on the mainland were receiving.

A committee of safety, dominated by plantation owners and others who favored annexation to the United States, deposed the queen. Troops were landed

from the U.S. cruiser *Boston*, Judge Sanford B. Dole became the provisional head of the government and envoys were sent to Washington to arrange annexation.

However, President Cleveland felt the landing of troops had made the revolution look too much like an American conquest and decided the queen should be restored. A constitutional convention in the Islands followed in 1894 and the Republic of Hawaii was established with Dole as its President.

Four years later, after Republicans had returned to power in Washington, annexation arrangements were finally completed. President McKinley signed the treaty and transfer of authority to the United States took place on August 12, 1898.

TERRITORIAL ACT PASSED

Two years later, Congress passed the Organic Act setting up a Government for the Territory. It provided for the election of a Territorial legislature and a Delegate to Congress who would not have a vote. It provided for the appointment by the President of the Governor of the Territory, the Secretary of the Territory and the Justices of the Supreme Court of Hawaii. Dole became the first Governor.

Whether the annexation of the Islands as a Territory carried with it any promise to make Hawaii a State at some later date is a lively, if somewhat academic subject for argument here in the Islands. Opponents of statehood, who form a vocal minority among persons of influence, insist there were no authoritative promises of any kind. They probably are right.

The fact remains, however, that when Congress passed the act setting up the Territorial government it voted down an amendment which would have said that "nothing in this act shall be construed, taken or held to imply a pledge or promise that the Territory will at any future time be admitted as a State. ***

In his inaugural address, Governor Dole spoke hopefully of statehood. Historically, Territorial status has always been a prelude to statehood. When the Territory of Hawaii was established there were three other Territories—Oklahoma, New Mexico, and Arizona. Of the four, only Hawaii remained in Territorial status. Of all the States in the Union, only New Mexico remained a Territory for a longer period of "apprenticeship" than Hawaii has now served.

Agitation for statehood for Hawaii started immediately after the Territory was organized. In 1903 the Territorial legislature petitioned Congress for an enabling act which would lead to statehood. Every legislature since that time, except during war years, has repeated the request.

BILL INTRODUCED IN 1910

The first bill to admit Hawaii as a State was introduced in Congress in 1910. Since that time statehood bills have been before Congress continuously.

It was not until the early 1930's that island sentiment began swinging strongly toward statehood, however. Several events in those years began to impress islanders with the fact that Territorial status left them exposed to the whims of an absentee government in Washington.

One was the *Massie case*, which received sensational treatment in the mainland press. It involved an attack by hoodlums on the wife of a U.S. naval officer who was stationed in Hawaii. The naval officer, his mother-in-law, and two sailors were convicted of manslaughter in connection with the killing of one of the alleged attackers, but their sentences were promptly commuted.

An upshot of the case was a proposal in Congress to replace the Territorial government with a three-man commission appointed by the President to rule without benefit of a locally elected legislature. That scheme the islands resented.

About that time, also, Franklin D. Roosevelt asked Congress to change the requirement that the appointed Governors of the Territory must be bona fide island residents. Although nothing came of the proposal it caused the people of Hawaii some alarm. They feared that Territorial government, administered by "carpetbagger Governors," might prove intolerable.

What really gave impetus to the statehood movement on the islands was the Jones-Costigan Sugar Act of 1934, coauthored by the late Colorado Senator Edward P. Costigan. The act sought to give mainland sugar producers a higher-than-average share of the U.S. sugar market at the expense of foreign and Hawaiian sugar-growing areas.

DRAWBACKS IMPRESSIVE

Never before had the islands been so impressed with the disadvantage they suffered from not having voting representation in Congress to look after the rights of the Territory as an integral part of the United States.

By an agreement worked out with the Secretary of Agriculture, Hawaii was able to come in for a fair share of the domestic market in spite of the Jones-Costigan Act and the 1937 Sugar Act recognized Hawaii as a domestic producing area.

However, Hawaii had received a scare. Sentiment for statehood and equal rights with mainland States began to grow. The steady and increasingly urgent campaign that Hawaii has been waging for statehood since 1935 is a story in itself.

[From the Denver Post, Jan. 13, 1958]

FORTY-NINTH STATE? - HAWAII GOES AGAINST TREND FOR SELF RULE

(Editor's Note: - The people of Hawaii want their Islands admitted to statehood. This article, the third in a series, points up the unique position of a people seeking admittance to a union in a world where gaining independence is popular.)

(By Leverett A. Chapin, Associate Editor, the Denver Post)

HONOLULU, T.H. - In our generation, colonial people all over the world have been struggling for—and winning—Independence from absentee governments. It has been happening in Indonesia, in French Indochina, in India, in Africa.

Only in the Hawaiian Islands do we find a "colonial" people who want to get into a country on an equal basis with other citizens instead of out of it.

This unique position of Hawaii is difficult for many people around the world to understand. William F. Quinn, the young and personable Governor of Hawaii who was appointed recently by President Eisenhower, tells the story of a newspaper editor from India who asked him only the other day if the people of Hawaii are not resentful that they have not been granted independence as the Philippines have been.

To the editor from India it was inconceivable that any "colonial" country would not want complete independence. What he failed to understand was that the people of Hawaii, in spite of their mixed racial backgrounds, are as completely American in thoughts, sentiments, and feelings as the people of Brooklyn, Sacramento, or Denver.

Under their skins of all shades, the people of Hawaii are as American as baseball, apple pie or the Elvis Presley phenomenon. In talking with scores of people here, I have not found one of any race who has any desire for Hawaiian independence.

SHOCK TACTICS IGNORED

To suggestions that a movement on behalf of independence might promote statehood, by shocking the mainland into action to insure that this strategic Pacific crossroads will remain under U.S. jurisdiction, islanders are completely indifferent.

Some islanders do not want statehood, yet, for reasons which will be discussed later. Some would like to try a "commonwealth" status under the American flag if it would give them exemption from Federal taxes. There is overwhelming evidence, however, that the majority in Hawaii wants statehood now. None desire independence.

Those who favor statehood will tell you so, quietly and earnestly. When you seem surprised that they do not react with more fire and fighting words, they explain it is impossible to keep any campaign at fever pitch for 22 years.

It was in 1935 that the statehood movement got going in a big way. Since then, peaks of enthusiasm and eager anticipation have been reached a number of times.

In 1940 a plebiscite on statehood was held in the Islands. The vote was 2 to 1 for statehood. In 1947 a commission to promote statehood was set up by the Territorial government. It is tax-supported and maintains an office in Washington.

CONSTITUTION APPROVED

In 1950 Hawaii held a convention to write a State constitution which could go into effect whenever Congress might pass the necessary enabling legislation. The constitution was put to a vote and was approved by the people, 3 to 1.

Again in 1954, statehood seemed near. A roll of newsprint paper, 6 feet wide and nearly a mile long, was laid out on a downtown street in Honolulu as a petition on behalf of statehood and 116,000 people signed it in the period of a few days. It was the second largest petition Congress has ever received.

You hear in Honolulu that many influential businessmen do not want statehood because they believe a Governor, appointed by the President from among prominent residents of the Islands, is likely to be more friendly to business than a popularly elected State administration might be.

In 1956 the Honolulu Chamber of Commerce, composed of 3,000 businessmen, large and small, of all races, took a poll of its members by secret ballot on the question of whether the chamber should actively promote statehood.

Sixty-four percent of those who voted favored active promotion of statehood by the chamber. Significantly, perhaps, Caucasian members, members in the higher income brackets, and members who are college graduates did not vote as strongly for active promotion as did the chamber members who are non-Caucasian, in modest-income brackets and noncollege graduates.

MAJORITY FAVORS STATEHOOD

However, a majority of every racial, income, and education-level group in the chamber voted for statehood promotion. Even the opponents of statehood with whom I talked admit they probably are in the minority.

Since 1935 no subject has been studied so often or so exhaustively by Congress as the question of statehood for Hawaii. There have been 20 congressional hearings - 12 in Washington, 8 in the Islands. More than 1,000 witnesses (most of them in favor of statehood) have given millions of words of testimony.

Bills to admit Hawaii as the 49th State have been passed in the House of Representatives on three occasions—in 1947, 1950, and 1953. In 1951 the U.S. Senate passed a bill to admit both Hawaii and Alaska as States.

Every Gallup poll taken on the mainland since World War II has shown overwhelming sentiment in favor of statehood for Hawaii. In recent years the national platforms of both major political parties have supported statehood.

At various times a large number of influential organizations such as the Disabled American Veterans, the National Education Association, and various church and service club groups have urged the admission of Hawaii.

Usually these expressions of sentiment repeat the standardized reasons for equal treatment for Hawaii:

The fact that Hawaii pays Federal taxes without having voting representation in Congress.

The fact that Hawaii has an area larger than that of each of three existing States—Connecticut, Delaware, and Rhode Island.

The fact that Hawaii has more people than four States—Vermont, Delaware, Wyoming, and Nevada—and has a larger population than any other Territory had when it was admitted to the Union, with the single exception of Oklahoma.

The fact that Hawaii pays more in Federal taxes than do any of nine existing States.

The fact that Hawaii has a per capita income higher than that of 35 States.

The fact that servicemen from Hawaii—regardless of race—set unexampled records for devotion, courage, and loyalty during World War II and the Korean war.

STATEHOOD NOT CERTAIN

This array of reasons for statehood is impressive. It should, perhaps, be decisive. Yet statehood for Hawaii in the immediate future is by no means sure. There are strong influences working against statehood, influences which so far have frustrated the majority sentiments of the Islands and the people of the mainland in favor of Hawaii's admission to the Union.

These influences are highly complicated. They exist on the Islands. They exist in Washington. They involve the unusual racial mixture existing on the Islands. They involve the clash of employer interests with labor interests.

They involve fears of communism. They involve endless jockeying for political advantage.

For the sake of simplicity all these influences might be classified as "political." Following articles will trace the tangled skeins.

[From the Denver Post, Jan. 14, 1958]

FORTY-NINTH STATE?—FEARS HELP STATEHOOD FOES

(By Leverett A. Chapin, associate editor, the Denver Post)

(Editor's Note.—This is the fourth article in a series discussing the issues of Hawaiian statehood.)

HONOLULU, T.H.—On these beautiful and thriving islands most of the opposition to Hawaiian statehood rests on fears:

Fears by a minority of large employers that an elected State government would tend to be Democratic more often than Republican.

Fears by some businessmen that an elected State government would be less favorable to business than a Territorial government, headed by a Governor appointed by the President of the United States from among the prominent Island residents and armed with authority to veto acts of the legislature.

Fears by rightwingers of the influence labor and even "Communists" might have on a State government—particularly the influence of the Islands' largest union, the International Longshoremen's and Warehousemen's Union (ILWU) of which Jack W. Hall, a lieutenant of California's Harry Bridges, is regional director. Hall and six others were convicted in 1953 on charges of violating the Smith Anti-Communist Act and their case is now on appeal.

Fears by some native Hawaiians and part-Hawaiians that statehood could give U.S. citizens of Japanese ancestry—an energetic, capable and ambitious group—an opportunity to extend their influence by possibly electing persons of Japanese race as Governor, U.S. Senators or U.S. Representatives.

These fears are reflected in Washington to some extent, judging from the records of congressional hearings and the remarks that a number of visiting Congressmen have made here in recent weeks.

For years Hawaii was predominantly Republican in politics.

But in 1954 islanders upset tradition by electing a Democratic Territorial legislature. In 1956 the legislature went Democratic again, but not by as large a majority as before. However, the real shocker that year for Republicans was the defeat of their candidate, Mrs. Elizabeth Farrington, for reelection as nonvoting Delegate to Congress.

Mrs. Farrington had been appointed Delegate when her husband, the late, popular Joseph R. Farrington, died. After that she won one election but in 1958 she was defeated by Democrat John Burns, a real estate man who had labor support.

[From the Denver Post, Jan. 14, 1958]

FORTY-NINTH STATE?—FEARS SPUR STATEHOOD FOES

(By Leverett A. Chapin, associate editor, the Denver Post)

Few people in the Islands believe Hawaii will ever come permanently under the control of either the Republican or Democratic party. The two-party system is very much alive. Republicans are looking forward hopefully to recouping some of their losses in the 1958 election.

However, Democratic gains in the 1954 and 1956 elections have cooled the ardor of some Republicans in Congress for statehood for Hawaii. Some of them want to take a "second look" at the statehood issue now that it has been demonstrated that Hawaii might send Democrats to the House and the Senate at least part of the time.

This is an attitude that most people in Hawaii—Republicans as well as Democrats—deplore. They feel statehood should be granted on principle and merit rather than out of political considerations. But they recognize that some decline in enthusiasm among mainland Republicans for Hawaiian statehood is a fact of life they must face.

Meanwhile, the fears some Islanders possess about the possible influence labor and the Japanese might wield under statehood is reflected in the views of many, but not all, Congressmen from the Deep South.

There has always been considerable opposition to Hawaiian statehood among southern Democrats who anticipate that U.S. Senators, and Representatives from Hawaii would be racially tolerant, because of the Islands' remarkable absence of racial feeling, and pro civil rights, thus diluting southern strength in Congress.

HOPES FROM LITTLE ROCK ISSUE

This southern viewpoint was put rather bluntly by the Tulsa (Okla.) Tribune in an editorial last March which started with the rhetorical question, "Do we Americans want to put a couple of Japs in the Senate of the United States?"

Some Islanders are hopeful the recent Little Rock school integration disturbances will help Hawaiian statehood by making Congress more desirous than ever to prove its willingness to admit a State in which Caucasians would be in the minority.

The more practical Islanders anticipate the Little Rock affair may stiffen the resistance of the South as a whole to the admission of Territory which is tremendously proud of the fact that its people of many races and colors live together in near-perfect, but not quite perfect harmony.

Hawaii foresees that the battle for statehood is not yet won because of these political considerations but it is hopeful, and Republican leaders, including the youthful new Governor, William F. Quinn, and Democratic leaders, including Delegate to Congress Burns, will put on a major drive in Washington, starting this month.

Since an understanding of Island politics is necessary to any appraisal of the statehood issue, future articles will deal with the rise of the Democratic Party in Hawaii, the labor and "Communist" situation and the racial complexity of Hawaii.

[From the Denver Post, Jan. 10, 1958]

(By Leverett A. Chapin, associate editor, the Denver Post)

FORTY-NINTH STATE -STATEHOOD UNTIMELY, FOES FEEL

(EDITOR'S NOTE.--This is the fifth article in a series discussing Hawaiian statehood.)

HONOLULU, T.H. "I formerly favored statehood for Hawaii but the 1953 Territorial legislature, in which I served as a member of the senate, changed my mind. As I observed the legislature I decided we were not politically mature and should wait for statehood."

This was Benjamin F. Dillingham II speaking. He is a young man with an intelligent brow, the build of a football player and an enthusiasm for polo.

The Dillingham family is probably the most prominent and one of the most highly respected in the Islands. Patriarch of the family is Walter F. Dillingham, president of the Oahu Railway & Land Co., now partially retired. He is considered the leading opponent to statehood in all Hawaii.

His son, Benjamin F. II, is vice-president and general manager of the company. In 1954 he created a mild sensation by testifying in Washington in favor of Hawaiian statehood in spite of the pronounced views of his father. Both he and his father are Republicans.

The 1955 legislature of which young Dillingham was speaking was the first overwhelmingly Democratic legislature Hawaii had ever had. Before going to see him I had been told his father liked the Territorial system because it enabled him to influence the appointment of Governors by the President of the United States.

That claim young Dillingham dismissed with the statement that his father had taken no part in the selection of Territorial Governors since the late Wallace Rider Farrington was appointed in 1921 and then reappointed in 1925.

"My father believes only one thing- that what is good for the Territory is good for him," young Dillingham said.

Of the 1955 (Democratic) legislature he said: "As I watched some of these men I told myself that if they are representative of the younger generation, then the younger generation doesn't understand democratic government."

"I believe, for example, that the winning party should not punish the losing party. I found myself in opposition to them on such things as business taxes and unemployment compensation legislation. I did not consider it a mature approach to reduce the appropriation for the Territorial Commission on Subversive Activities.

"I found too many of them tainted with New Dealism. I like them, mind you. But I say, 'Let's take time to get adjusted.' We are doing a great job here on racial integration. I feel greatly encouraged by our economic development. I think we will change toward greater political maturity. In fact, the 1957 legislature showed some improvement. But I am opposed to statehood at this time."

[From the Denver Post, Jan. 16, 1958]

FORTY-NINTH STATE—ISLES UNREADY FOR STATEHOOD, CRITICS ASSERT

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Benjamin F. Dillingham II speaks with obvious sincerity. Later I discovered that a number of opponents of immediate Hawaiian statehood use identical argument to the effect that the Democratic legislators have shown the Islands are not "mature" politically.

Democrats admit the 1955 legislature was inexperienced—after all, Democrats have never before been in control of both houses. But they deny passing punitive legislation. Their problem, they say, was to try to alter a feudal system of land ownership which discourages economic development and to change a tax system designed to favor the wealthy.

They claim a long list of accomplishments by the 1957 legislature relating to juveniles and child welfare, insurance companies, workmen's compensation and Territorial planning and promotion. To the charge that they crippled the Territorial Commission on Subversive Activities in 1955, Democrats reply that young Dillingham himself was one who was inclined at that time to the view that a commission might not be necessary if its duties were transferred to the Territorial attorney general.

1955 LEGISLATURE 'FULL OF NEW DEAL IDEAS'

Dillingham's ideas are shared only in part by another leading Republican, Samuel Wilder King, a man of part Hawaiian blood who was governor during both the 1955 and the 1957 legislatures.

Unlike Dillingham, former Governor King is a strong supporter of statehood. The 1955 legislature, he said was full of "New Deal ideas. They wanted to soak the rich."

"They wanted a new plan for real estate tax assessments," the former Governor explained. "They wanted to make it compulsory for landowners to include right-of-purchase clauses in all leases. Perhaps they did not realize no one would want to lease land under such a provision.

"They wanted to require that private land must be left in the Territorial forest reserve for 20 years if it is to enjoy tax exemption. I vetoed that; in fact, I vetoed 72 measures passed by the 1955 legislature and 35 passed in 1957. "In 1955 the legislature did not even ask to confer with the Governor. In 1957 they did confer. But these legislative performances, I believe, do not indicate any failure of democracy in the Islands. Our legislature has been no worse than the legislatures in the States sometimes turn out to be."

In Hawaii, 42 percent of the land is government-owned, most of it by the government of the Territory. Thirty percent more is owned by 12 companies and families. Only 11 percent of all land is held by persons owning less than 5,000 acres each.

Some of the large estates had their beginnings in the days when Hawaii was an independent kingdom. The ownership and leasing of land has been highly profitable.

Much of the most valuable land in Honolulu is owned by the Bernice P. Bishop estate. Many homes and businesses are built on leased land. Many of the leases are for only 10 years.

Desirable land is expensive by mainland standards. When sold, it is sold by the square foot. A good residential building lot may cost as much as \$20,000. Hence many homeowners prefer to lease land and pay annual rental.

VISITORS DISCOURAGED ON PRIVATE ISLAND

One of the eight islands of the Hawaiian group, Niihau, is owned by one family, the Robinsons. It is operated largely as a cattle ranch. About 250 Hawaiians and their children live there. Visitors are discouraged.

Recently when a reporter for the Honolulu Star-Bulletin crashlanded there in a small plane and then took pictures and talked with the people, it was the first time since 1946 that a newspaperman had set foot on Niihau. The reporter, George West, described the island as "a free community in a feudalistic economy."

Another island, Lanai, is wholly owned by the Hawaiian Pineapple Co. and is used as a vast plantation. The land ownership pattern on the other islands poses no great problem as yet, but on Oahu, where Honolulu is located and where 75 percent of the people live, land ownership is a major issue.

New industries are springing up, but many people are convinced new business will be discouraged if more land is not made available for purchase. They point out that most industries won't make large plant investments on leased land.

In general, more Democrats than Republicans are interested in breaking up the large estates—the "feudal" domain system. No doubt some Republicans feel the traditional land system is best and can best be protected under a Territorial form of government in which the appointed Governor can veto legislative acts.

The tax issue is similar. Taxes in the Islands are high—but taxes on real estate are low by comparison with most mainland areas. One prime industrial site on Oahu, consisting of 37,000 acres, is assessed at \$12 an acre and reputedly would be worth \$12,000 an acre when improved. The Democratic legislature overrode a gubernatorial veto to provide for the study.

An expert study of land appraisal methods is to be made soon. The Democratic legislature overrode a gubernatorial veto to provide for the study. In the past, an owner of land could put it in the Territorial forest reserve, if it had any value for water conservation purposes, thereby gain tax exemption and withdraw it from the reserve again any time he wished to do so.

One of the bills vetoed by former Governor King in 1955, requiring land to be left in the forest reserve for 20 years if it was to gain tax exemption, was repassed in 1957 and that time was not vetoed. Proponents of the law believe it will return some 240,000 acres of land to the tax rolls.

The second largest single source of tax revenue for the Territory has been a 2-percent flat tax on all compensation and dividends—a kind of gross-income tax. The self-employed did not have to pay it.

The 1957 legislature abolished this flat tax, rewrote the Islands' progressive income tax to bring in more revenue and increased certain general excise and consumption taxes. Democratic sponsors of these tax reforms believe they will erase all red ink from the Territorial books.

Here in the Islands a minority of the influential people believe the land and tax measures passed so far are only a taste of what might come if Hawaii should become a State, with an elected Governor as well as an elected legislature. They see statehood as a possible threat to a way of life which they believe to be good in spite of the tag of "feudalism" which has sometimes been hung on it.

[From the Denver Post, Jan. 17, 1958]

FORTY-NINTH STATE?—HAWAII'S RED-HUNTERS ACTIVE

(Editor's Note.—This is the sixth in a series of articles on the controversial subject of Hawaiian statehood.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—A mainland visitor to these Islands is likely to be appalled by the elaborate devices which have been set up to combat communism.

A good many Hawaii residents are beginning to be appalled too. They suspect part of the emphasis on the Communist menace may be a subtle device for defeating the granting of statehood to the Territory.

Nowhere else in the United States are there as many precautions against Communist or subversive influences as there are here. Loyalty oaths are required of all public employees. The Territory has a tax-supported commission whose sole job is to expose subversives.

The chairman is William B. Stephenson, a prominent attorney who has a steely eye, an impressive record of naval intelligence work during World War II and on encyclopedic knowledge of Communist activities.

Stephenson and other members of the nonpartisan commission receive no pay. The commission's appropriation goes to hire a staff of two persons and maintain an office in the basement of Iolani Palace, the Territorial capitol where the throne room of the Hawaiian kings of preannexation days is still preserved.

Stephenson has no sympathy with those who decry the use of guilt-by-association methods. "If a person associates with Communists, the public is entitled to assume he has Communist sympathies, too," Stephenson says. He is a dedicated foe of Communists of all shades.

Every 2 years the commission reports to the Territorial legislature on the threat of communism as it sees it. The commission takes no position on statehood. Stephenson calls it a factfinding body only.

In addition to this official agency, Hawaii has a privately supported anti-Communist organization known as Imua. In the Hawaiian language Imua means "forward."

Imua has 3,000 subscribers, most of them island residents, some on the mainland. Its budget is \$92,000 for 1958—more than twice the amount the official commission on subversive activities has to spend. It maintains a staff and an extensive library of material on communism and Communists, known and suspected. It issues published reports to its members and broadcasts reports in English and Filipino over six radio stations each day, Monday through Friday.

Imua has no inhibitions about publishing its hard-hitting opinions. It is critical of the U.S. Supreme Court for what it considers a soft attitude toward Communists. It has a low opinion of persons who take advantage of fifth amendment rights to refuse to testify.

[From the Denver Post, Jan. 17, 1958]

FORTY-NINTH STATE?—DEVICES USED TO HUNT REDS APPAL HAWAII

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—Imua is a privately supported anti-Communist organization in Hawaii.

It has been lambasting the Hawaiian nonvoting Delegate to Congress, John Burns, a first-term Democrat, for such things as posing in Washington for a picture with a labor union delegation which called on him. Imua described three members of the delegation as "first amendment Communists."

Walter F. Dillingham, the outstanding opponent of statehood in the islands, is honorary chairman of Imua's fundraising drive. Wythrop M. Orr, executive vice president of Imua, says the organization itself takes no position one way or the other on statehood. Its sole business is Communists.

However, directors of Imua recently endorsed a statement by their most outspoken member, Dr. Lyle G. Phillips, that Hawaii will not "merit" statehood until "the present threat of subversive control over our Territorial life ends."

Dr. Phillips' statement was made in a speech in Pittsburgh, Pa., before the All-American Conference of National Organizations to Combat Communism.

What irritated advocates of statehood was the coincidence that the speech was made the same day on which Gov. William F. Quinn, members of the Hawaii Statehood Commission, and other Islanders were in Reno, Nev., drumming up support for statehood at a western conference of the Republican Party.

HUBBUB RELATED TO STATEHOOD CAMPAIGN

Some advocates of statehood claim to notice there is great hubbub and publicity about Communists in Hawaii every time there is a spurt of new activity to promote statehood.

For a long time Imua enjoyed wide immunity from criticism. There was an understandable reticence to speak disrespectfully of an organization sanctified by its avowed opposition to communism. But a growing conviction that the constant to-do about "communism" is nurtured by persons who, for political, economic, tax, or landownership reasons, would like to keep Hawaii a Territory, is bringing Imua under fire.

The Honolulu Advertiser has characterized Dr. Phillips as "Hawaii's Senator McCarthy." Commenting on Dr. Phillips' speech, the Honolulu Star-Bulletin, edited by friendly and popular Riley H. Allen, said:

"The task which faces the Hawaii Statehood Commission and all of us who believe in and work for statehood is to convince the Members of Congress that Hawaii is not in the grip of Communists. * * *

The Star-Bulletin reflects what seems to be the average view here—that Communist influences must be guarded against but Communists are not in control and won't be and exaggerations regarding communism will hurt the statehood cause.

WRONG EMPHASIS DISMAYS OFFICIAL

The statehood commission itself is more than a little concerned about the emphasis on communism. Head of the commission is Lorin P. Thurston, president and general manager of the Honolulu Advertiser, a soft-spoken man of impressive sincerity whose family has been in the Islands more than 100 years.

"Imma tells half truths," Thurston complains. Since he became head of the commission it has issued a 30-page booklet answering "the charge that communism in Hawaii disqualifies the Territory from becoming a State."

This stiffening attitude toward Imma and "efforts to smear Hawaii with communism" is accompanied by a growing feeling among strong statehood advocates that the local minority against statehood, including some highly influential men, must be opposed more vigorously than in the past.

Stateholders will tell you a few men who know the "right people" in Washington can, with a few words spoken privately against statehood, undo work the Territorial Statehood Commission has spent tens of thousands of dollars to accomplish.

Some advocates of statehood want to dramatize the plight of the islands by the shock method of making an appeal to the United Nations to save Hawaii from the evils of "colonialism."

TWO FACTORS USED AGAINST STATEHOOD

Use of the "Communist scare" as a means of defeating statehood has been helped along by two facts. One is that no point in American defenses has greater strategic importance than Hawaii. If communism is bad wherever it is, it is doubly bad here, statehood opponents say.

They add, in the next breath, that the presence here of Jack W. Hall, regional director of the International Longshoremen's and Warehousemen's Union, is another reason for extra vigilance. The ILWU is the Harry Bridges union which was kicked out of the CIO several years ago.

Hall and six others were convicted in 1953 of violating the anti-Communist Smith Act and are at liberty under bond while their case has been under lengthy review by the Federal circuit court of appeals.

The ILWU is the most powerful labor organization in Hawaii. It has 23,500 members of whom only 1,800 are longshoremen. The rest are sugar workers, pineapple workers, general trade workers and truckers. All AFL-CIO unions on the islands have a combined membership of 15,000.

Opinions on the Islands about Jack Hall differ. At worst, he is described as a hard-core Communist who uses the ILWU for Communist purposes and would wield great political influence if Hawaii became a State.

At best, he is described as a tough labor leader who has the interest of his members at heart, drives a hard bargain, knows his business, and has made cane and pineapple workers the highest paid agricultural labor in the world.

Those convicted along with Hall include Charles K. Fujimoto, one time a junior chemist in the experiment station of the University of Hawaii who left the university to become chairman of the Communist Party of Hawaii, and his wife, Eileen. Fujimoto reputedly is the only self-admitted Communist Hawaii ever had.

Also convicted were Koji Ariyoshi, editor of the Honolulu Record, which some describe as an island counterpart of the Daily Worker; John F. Reinecke, who was fired as a teacher in the public schools several years ago after a hearing on charges that he failed to embrace the ideas of democracy; Jack D. Kimoto, an employe of the Record, and Dwight James Freeman, a construction worker.

Another union which Imua says is Communist controlled is the United Public Workers Union, headed by Henry Epstein. It has about 2,000 members and has headquarters in the attractive and modern ILWU main office building here in Honolulu.

[From the Denver Post, Jan. 13, 1958]

FORTY-NINTH STATE—HAWAII UNIONISTS PROSPERING UNDER HALL

(Editor's Note.—This is the seventh article in a series discussing the question of statehood for Hawaii.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—If you want to interview Jack W. Hall, director of the Hawaii regional office of the International Longshoremen's and Warehousemen's Union, you may have to get up early.

Hall arrives at his office at 7:30 a.m., dressed comfortably in slacks, loafer shoes, and a colorful, open-necked aloha shirt. He is a large man with thick-leaved glasses and closely cropped hair. He talks easily and directly to you.

He is proud of the union which has 23,500 members in the dock, sugarcane, pineapple, and trucking industries. Sixty percent of them are Filipinos. About 8,000 of them are aliens. They compose the largest single alien group in the Islands now that the McCarran-Walter Act has made the alien Japanese who are longtime residents of the Islands eligible for citizenship.

About 15,000 of the ILWU members are voters and citizens. Many of them had outstanding war records. Cane and pineapple workers, who once earned less than \$1 a day, now are the highest paid agricultural labor in the world.

In recent years Hall and the union have stressed fringe benefits, such as retirement pay. Employers consider Hall a tough bargainer but respect his ability and his interest in the workers.

Hall, who was one of seven convicted in 1953 in Hawaii on charges of violating the Smith Anti-Communist Act, is proud, also, of the modern, new headquarters the union has built in Honolulu. It includes a large auditorium, equipped with the latest in hi-fi sound reproduction which Hall likes to demonstrate for visitors.

Hall seems confident that his Smith Act conviction will be reversed by the U.S. circuit court of appeals, a view generally shared by Islanders who have read about the reversal of other Smith Act convictions in Colorado and elsewhere.

Before he was indicted, Hall once made a non-Communist affidavit. There is a widely spread belief here that Hall and probably other leaders of the union were Communists at one time but no longer are. This belief stems in part, perhaps, from the fact that when the Eastland Internal security subcommittee of the U.S. Senate held hearings here in December, 1950, certain persons connected with the union offered to testify if they would be asked only two questions: (1) Are you now a Communist? and (2) Have you been a Communist in the last 3 years?

The offer was not accepted and a considerable number of witnesses refused to testify under fifth amendment protection. Hall himself was not called because the appeal of his Smith trial case was pending.

[From the Denver Post, Jan. 10, 1958]

FORTY-NINTH STATE?—RACE ISSUE BARS HAWAII, HALL CHARGES

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—The most outspoken foes of communism in the Hawaiian islands, including Imua, a privately financed antisubversive organization, consider Jack W. Hall a Communist and his ILWU as a Communist-dominated union.

Who is right I don't pretend to know but Hall, very easily, is Hawaii's most controversial citizen.

I asked Hall if he knew many people say the islands would have statehood if it were not for him and the Communist issue.

"Yes, but I don't believe it," he replied. "There is no Communist Party in Hawaii. It isn't because of communism that we don't have statehood. That is a red herring."

"We haven't gotten statehood because of racial fears on the mainland—that and fears that people elected here, where we have less racial prejudice than any other place in the world, would be too liberal on such things as civil rights. They fear we might elect people who are left of center."

GOVERNORS VETO TAX LEGISLATION

"We have a small middle class here, but it is growing. There is a lot of undercover opposition to statehood here on the islands from people who are afraid of what would happen on such things as taxes."

"Under the territorial system progressive tax legislation which might hit persons of wealth has been vetoed frequently by our appointed Governors, Stainback and Long, for example." (Ingram M. Stainback was Governor from 1942 to 1951 and Oren E. Long from 1951 to 1953. Both are considered conservative Democrats.)

Hall, some Republicans will be surprised to know, is registered as a Republican. So is his boss, Harry Bridges of California, head of ILWU.

"The Democratic Party," Hall says, "is the party of small businessmen. I am for big labor and big capital."

Hall favors statehood for no high-sounding reasons relating to taxation without representation. His is a practical approach.

"Until we get statehood and elect our own officials the people cannot exert popular pressures on the executive and judicial systems," he says. He believes officials of the Territorial public school system, who are now appointed, should be elective officers also.

ILWU INFLUENCE CALLED SIGNIFICANT

The question of how much pressure Jack Hall and the ILWU might be able to exert on State government if Hawaii should achieve statehood is a widely discussed subject here.

The conclusion of the Eastland committee after its hearings here in December 1956 was that "The evidence indicated that the ILWU was able to exercise an influence over the Territorial legislature and over politics in general." In another place in its report the committee termed this influence significant.

Many people here say ILWU political influence is badly overrated. No one, however, doubts the union's economic influence. The 1949 ILWU strike, which lasted for 6 months, was a fearful demonstration.

Crops spoiled in the fields, shipping was tied up. They tell you here in the islands that many small businessmen went broke, because they could not get merchandise from the mainland. Generally speaking, the strike was considered a victory for the union.

Do ILWU members follow their leadership on political issues as they do on economic issues and wage demands? Opinions differ.

STRIKES HAVE POLITICAL TINGE

The ILWU has engaged in some strikes which seemed to outsiders to be political. In 1950 there was a demonstration strike after Harry Bridges had been sent to jail for violating his bail. There was a 4-day walkout when Hall and six others were convicted under the Smith Act in 1953.

In May 1958 there was a walkout from wage negotiations in protest against the appearance in Hawaii of Secretary of Labor Mitchell, who had made remarks which Bridges considered derogatory to him. There was a demonstration strike in Honolulu, led by Bridges and Hall, when the Eastland subcommittee opened its hearings on subversive activities, in December 1958.

There are a variety of opinions regarding this last strike. The number of workers participating is variously estimated at from 1,800 to 4,000. A tropical rain helped spoil the demonstration for Bridges and Hall. Even Imia, which is not likely to underestimate Communist accomplishments, says "The strike was disappointing to Hall and Bridges."

It is understandable, perhaps, if rank and file ILWU members look on any attack on Hall, alleging he is a Communist, as an attack on a union which has brought them great benefits—an attack which must be resisted.

You do not hear any claims that the ILWU membership is communistic, only claims that the leadership is Communist. J. D. (Jot) Pratt, a highly regarded plantation manager for the Hawaiian Pineapple Co., who has several hundred

ILWU workers under his supervision, told me he does not know of a single Communist in the lot of them.

The best way to judge the real weight of ILWU political influence is to look at its successes or failures in electing candidates it favors and in getting measures which it wants put into law. That is another story.

[From the Denver Post, Jan. 19, 1958]

FORTY-NINTH STATE?—LONGSHOREMEN FAIL SO FAR TO INFLUENCE POLITICS

(EDITOR'S NOTE.—This is the eighth article in a series dealing with the question of statehood for Hawaii.)

(By Leverett A. Chaplin, associate editor, the Denver Post)

HONOLULU, T.H.—In 1949 when the International Longshoremen's and Warehousemen's Union tied up the Hawaiian Islands with a 6-month strike, Gov. Ingram M. Stalnback called a special session of the legislature which authorized the Government to seize the docks and work them with National Guardsmen or anyone else he might enlist.

The principal political aim of the ILWU since 1949 has been to get the dock seizure law repealed. But it is still on the books.

In 1950, the ILWU opposed the adoption of the constitution which had been written in anticipation that Hawaii might be granted statehood. Jack W. Hall, Hawaii regional director of ILWU, and other union leaders objected because the new constitution did not provide for the initiative and referendum, the election of judges, etc.

The constitution went to a vote of the people and was approved 3 to 1. Today the constitution is "on tap," ready to go into effect whenever Congress passes the necessary enabling legislation creating the 49th State.

In 1952, Hall and still others went on trial before a jury representing a cross-section of the island citizenry and were found guilty under the Smith anti-Communist Act.

(The U.S. Court of Appeals in San Francisco reversed Hall's conviction on charges of membership in the Communist Party and plotting to teach and advocate violent overthrow of the Federal Government. See details on page 4.)

These are three of many examples which can be found here of the apparent inability of the ILWU and Hall to influence governmental actions. Since opposition to statehood is based to considerable extent on claims that the ILWU is Communist dominated and would take over the new State, the political failures of the ILWU have some significance.

Other examples are more recent.

In 1955 Charles E. Kauhane, the speaker of the Territorial House of Representatives, sent a gift—a gavel—to Harry Bridges, international president of the ILWU, at a mainland union convention in California.

This gift was cited by members of Inua, the privately financed anti-Communist organization in the Islands, as evidence of ILWU influence in politics and the Eastland subcommittee of U.S. Senate on Internal Security, in its 1957 report, called attention to the gift.

The subcommittee failed to mention, however, that when Kauhane ran for mayor of Honolulu in 1958 he was defeated in the Democratic primary, by a vote of 6½ to 1, by a newcomer to politics, William C. Vannatta, who was later defeated in the general election by the Republican candidate, Neal S. Blaisdell. The gavel incident was Kauhane's undoing.

[From the Denver Post, Jan. 19, 1958]

ELEVEN WIN APPEALS—U.S. RED PLOT VERDICTS UPSET

SAN FRANCISCO, January 20.—The U.S. court of appeals, acting in line with the Supreme Court's California Reds ruling of last June, Monday reversed the Smith Act convictions of seven persons in Hawaii and four in the State of Washington.

The convictions were obtained in district courts on charges of memberships in the Communist Party and plotting to teach and advocate violent overthrow of the Federal Government.

Judge Richard H. Chambers, who wrote the appeals court decision Monday, said the Supreme Court's decision last June "leaves the Smith Act, as to any further prosecution under it, a virtual shambles."

Ordered freed by the decision Monday on reversals of their convictions were:

In Hawaii—Jack W. Hall, regional director there of the International Longshoremen's and Warehousemen's Union; Charles K. Fujimoto, former chairman of the Communist Party in Hawaii, and his wife, Eileen, who was a member of the party's executive board; John E. Reinecke, former Territorial treasurer of the party; Dwight J. Freeman, who was party organizer; Koji Ariyoshi, editor of the Honolulu Record, and Jack B. Kimoto, who was party chairman before World War II.

Involved in the Seattle case—Henry P. Huff, John S. Daschbach, Paul M. Bowen and Terry Pettus.

[From the Denver Post, Jan. 19, 1958]

LONGSHOREMEN FOE ELECTED IN HAWAII

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—In the 1957 Hawaiian Legislature there were four candidates for speaker of the house.

The one candidate the ILWU wanted to defeat was O. Vincent Esposito, a brilliant, young, Harvard-educated attorney who was chief prosecutor for the War Crimes Commission in Japan after World War II. Esposito is an outspoken foe of communism and the ILWU.

"The ILWU said it would take anyone but Esposito for speaker," Esposito told me. "When the time to select a speaker came, I was elected unanimously—30 to 0.

"In the 1957 legislative session, the ILWU had three pieces of legislation which it wanted passed. One was the repeal of the dock-seizure law. The repeal was defeated in the house 28 to 2.

"The other two proposals provided tax exemption for union properties and repeal of the Territorial unfair trade practices law. The tax exemption bill did not get out of committee. Repeal of the unfair practices law was referred for more study."

Esposito, who was in the thick of the 1957 legislative battles, is a strong supporter of statehood. He is widely respected. He has no fears that the ILWU would dominate the new State government.

In the 1957 legislature there were quite a number of members, both in the house and the senate, who sought and obtained labor support in the 1956 election—including the support of the ILWU.

The ILWU sends questionnaires to legislative candidates. Supposedly, the ILWU gives its official support to candidates on the basis of the answers received. It supports some Republicans. It supports some candidates who are outstanding foes of communism.

Jack Hall, the ILWU leader in Hawaii, told me the union supported Republican William F. Quinn when he ran for the Territorial Senate. Quinn, a young attorney with unusual ability as a singer and amateur actor, is the new Governor of Hawaii, an appointee of President Eisenhower.

ILWU has also supported Territorial Senator William H. (Doc) Hill of the Island of Hawaii, who founded a large fortune by selling and trading eyeglasses to islanders years ago. Hill, whose interests include realty, dairy, motor, drug, and electric holdings, is a leading Republican.

The four leaders of the 1957 legislature—Esposito, Senate President William Heen, Senate Floor Leader Herbert H. K. Lee, and House Floor Leader Daniel K. Inouye—were not endorsed by the ILWU. The three senators elected for the Island of Oahu in 1956 were all opposed by the union.

Front runner in the senatorial race was conservative Democrat Oren E. Long, former governor of the islands and former superintendent of public instruction. He is a thorough-going advocate of statehood. The ILWU did not endorse him.

ILWU political influence is likely to be even less in the future than it has been in the past. Approximately 75 percent of the population of the islands is located on the Island of Oahu, where Honolulu is located, but Oahu has never had even majority representation in either the Territorial House or the Territorial Senate.

The Democratic feat of capturing the legislature in 1955 and again in 1957, after many years of Republican victories, was not accomplished by the ILWU. Both former Governor Samuel Wilder King, a Republican, and former Governor Long, a Democrat, are agreed on that.

"Democrats won here for the same reasons that Democrats won the Congress on the mainland," according to King, "not because of union leaders who have been identified as Communists. The ILWU has reflected its leadership on occasions--as for example when the leadership tried several years ago to discourage National Guard enlistments on one of the islands. Organized labor can be counted upon to get rid of any Communists in time."

"Harry Bridges (International head of ILWU) didn't do it," said Long, referring to recent Democratic victories on the islands. "The Democrats appealed to young people. The Republicans had grown smug. The Democrats have had a remarkable group of young legislative candidates--many of them of Japanese ancestry with degrees from Harvard and other mainland universities and with outstanding records for bravery in the U.S. forces during the war."

Hawaii G.O.P. Chairman Ed Bryan, who happens to be a 1942 graduate of the Colorado School of Mines, says the party is working confidently to win both houses of the next legislature.

Bryan believes the ILWU members vote pretty much as the leaders recommend. The second level of command in the union does not believe that the top leaders, such as Hall, are Communists, according to Bryan.

Only a small minority of Islanders believe communism and the ILWU are valid reasons for withholding statehood from the islands--particularly in the light of the ILWU's many political defeats. Neither are many Islanders concerned by claims that Hawaii would elect Japanese to Congress if statehood were granted. That claim probably carries more weight on the mainland than it does here. Hawaii's racial mixture will be discussed next.

[From the Denver Post, Jan. 20, 1958]

FORTY-NINTH STATE?—ISLES LIVE BY RACE TOLERANCE

(EDITOR'S NOTE.—This is the ninth in a series of articles discussing the Hawaiian statehood question.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—"Why should I want statehood? It would merely mean that Hawaii would send Japanese to Congress."

The speaker was a taxi driver of Hawaiian blood. His viewpoint is typical of that of a considerable number of native Hawaiians. About the only race prejudice in evidence in these islands is expressed by the native Hawaiians against Japanese. You have to hunt for even this evidence but it can be found.

Antagonism of some Hawaiians against Japanese is of long standing but Islanders say it is diminishing. It stemmed years ago from fears that Japanese might take over the islands in toto. It has been kept alive by the fact that the Japanese in Hawaii have a drive and an ambition to get ahead in the world which the easier-going Hawaiians do not admire and against which they would find it uncomfortable to compete.

In spite of the prejudices occasionally expressed, Hawaii is the world's most important and successful experiment in racial integration and tolerance.

Islanders are proud of their unique contribution to respect for all races. They believe they have done better than any other part of the globe in living up to the principle that the dignity of man should know no racial limitations.

"We are not perfect but we have advanced farther toward ideal, friendly race relations than any other place, in any country," O. Vincent Esposito, one of the outstanding young men of Honolulu, says. Esposito, of Italian ancestry, was born in Connecticut where his father was a physician and also an attorney.

The son is a graduate of Harvard Law School, a Democrat and speaker of the Territorial House of Representatives. His wife is an oriental. When he walks through the downtown section he is greeted every few feet by friends of various races who want to shake his hand and exchange a quip.

[From the Denver Post, Jan. 20, 1958]

FORTY-NINTH STATE?—ISLES EXHIBIT OF DEMOCRACY

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—O. Vincent Esposito, one of the outstanding young men in Honolulu, says:

"Hawaii has an asset of great value to the rest of the United States. It has a special love of man. It is an exciting place in which to live. I see it as a center of beautiful and wonderful things—a real democracy in the finest sense of the term.

"America needs every friend it can get—particularly in the heavily populated countries of Asia. Hawaii is winning many friends for our country. This is the place many Asians get their first glimpse of America. With statehood, we could win many more because our relations with the Orient are healthier and more intimate than the relations of the mainland. When I think of statehood, I sometimes ask myself, 'Wouldn't Russia like to have a showplace of racial tolerance and friendliness such as this?'"

ALL RACES PRESENT ON EQUAL FOOTING

Later when I was invited to attend a Lions Club meeting in Honolulu I thought I could begin to understand what Esposito meant. Business and professional men of half a dozen races were present—on equal footing, with not the slightest condescension of anyone for anyone else.

According to the last compilation of the Hawaii Board of Health, the civilian population of the islands is now 36 percent Japanese, 24 percent Caucasians, 22 percent Hawaiian and Part-Hawaiian (the number of pure Hawaiians is very small), 7 percent Filipino, 7 percent Chinese, 2 percent Puerto Rican, 1 percent Korean. The other 1 percent consists of persons of a variety of races.

At one time (1920) Japanese made up nearly 43 percent of the population. In general the percentages of Caucasians and Part-Hawaiians have been increasing while the percentages of Japanese and Chinese have been declining. Most of the influx since the war, resulting from a rapid expansion of business and industry in the islands, has been Caucasian.

Many servicemen who were stationed here during the war have returned to make their homes.

Most of the Japanese in Hawaii are U.S. citizens, of course. Most of them are second or third generation Japanese who were born in the islands under the American flag.

For years many of the older Japanese and Chinese in the Hawaiian Islands were not eligible to apply for citizenship under oriental exclusion acts. Now that is changed and many of them are taking out naturalization papers. The largest group in the islands which is still ineligible for citizenship consists of Filipino workers who were brought in since the war to work on plantations. Hawaii's alien population, now estimated at 15 percent, is disappearing rapidly. Nearly 100 percent of all children in Hawaii schools are native born. Hawaii has a young population. Half of its people are under the age of 25.

Since World War II and the Korean war, no one in the islands would think of questioning the loyalty of the islanders of Japanese blood. Nisei (second generation Japanese) from the islands made up the entire membership of the 100th U.S. Infantry battalion which later became a part of the all Nisei 442nd Regimental Combat Team.

In Italy and France the 100th and the 442nd became known as the famous Purple Heart Regiment. They were awarded more medals and decorations for their size and length of service than any other infantry unit in U.S. history.

BIG CONTRIBUTION TO ISLAND LIFE

According to Dr. Douglas S. Yamamura, sociologist of the University of Hawaii, nearly one-third of all recent marriages in the islands have been between persons of different racial groups. He believes that within 40 or 50 years Part-Hawaiians will make up the bulk of the population.

Part-Hawaiians are prominent in the business, professional, and social life of the islands. Many of them are descendants of Yankee missionaries, planters, and traders who arrived when Hawaii was an independent kingdom.

The contribution of Hawaiians to the cultural life of the islands and the general attitude of the people toward life is striking and enduring, particularly when it is contrasted with the slight imprint left by the North American Indian tribes on the U.S. mainland.

The Hawaiians are a gentle people, generous, possessed of a keen sense of humor, artistic, with natural ability for public speaking and politics. These are enduring qualities which successive waves of haole or foreign immigration could not obliterate. The absence in Hawaii of garish advertising signs and horn-honking motorists reflects native attitudes.

Among the islanders, only a minority of the Hawaiians and Part-Hawaiians would be concerned if Hawaii upon admission to statehood would send persons of Japanese blood to Congress. Most islanders do not think of persons as being Japanese or Chinese or Caucasians.

When I asked one businessman if another man about whom we had been talking was Japanese he replied, "Well, I guess he is. Yes, he is. I just don't think of people according to racial classifications."

Actually, if it is any consolation to race-conscious mainlanders, there are few if any Japanese politicians in the Islands at this time who are prominent enough to run for top offices such as Governor, U.S. Senator or U.S. Representative.

The persons of top political stature in the Islands are mostly Caucasians or Part-Hawaiians. These include on the Republican side Gov. William F. Quinn, former Gov. Samuel Wilder King, Mrs. Elizabeth Farrington, Benjamin F. Dillingham II, and so forth; on the Democratic side, John Burns, the present nonvoting delegate of the Territory to Congress; former Gov. Oren E. Long; Esposito, speaker of the Territorial House of Representatives, and so forth.

The racial issue, like the Communist issue, is a device used by special interest groups to forestall statehood for Hawaii. There are reasons for statehood which appeals to prejudice and Communist fears cannot answer. It is time to look at them.

[From the Denver Post, Jan. 21, 1958]

FORTY-NINTH STATE?—SECOND-CLASS CITIZENS PAY ALL TAXES

(By Leverett A. Chapin, associate editor, the Denver Post)

(EDITOR'S NOTE.—This is the 10th in a series of articles dealing with the Hawaiian statehood question.)

HONOLULU, T.H.—The second-class citizenship of the more than half a million Americans who live in the Hawaiian Islands has disadvantages of which the first-class citizens of the mainland are almost totally unaware.

Mainlanders know, of course, that islanders pay Federal taxes without having the right to vote for President, Senators, Congressmen, or even their own Governor.

But stateside citizens may be surprised to learn that although Hawaii is paying the increased U.S. gasoline and excise taxes which are financing the new Interstate road building program, Hawaii is not getting a dime of this additional highway "pot."

Over a period of about 13 years, Hawaii will pay \$30 million in new taxes to help pay for building roads in Colorado and the 47 other States. This is a subsidy to the rest of the country which the people of Hawaii can ill afford, considering the many public projects they need to keep up with a growing population and an expanding economy.

For years certain Congressmen have been saying Hawaii is treated just as well by the Federal Government as the States are treated and, therefore, Hawaii does not need Senators and Representatives. A nonvoting Delegate to Congress is all the islands need, according to these Congressmen.

The people of Hawaii know this just is not so. Because it does not have Members in Congress who are armed with votes to trade with Senators and Representatives from other States, Hawaii is discriminated against in countless pieces of legislation.

Today Hawaii is getting less money for wildlife conservation, fish management, and similar purposes than it would get if it were a State and received funds on the same basis as the other States.

It took years for Hawaii to get equal treatment from Congress on such matters as aid to land-grant colleges, aid to vocational education, topographical surveys, and school-lunch programs. Hundreds of bills relating to "the several States" are introduced in each Congress. The principal job of the nonvoting Delegate from Hawaii is to try to persuade the authors of these bills to add the words "and the Territories" to the texts.

[From the Denver Post, Jan. 21, 1958]

FORTY-NINTH STATE?—HAWAII PAYS TAX, GETS NO ROADS

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—Recently a subcommittee of the House Public Works Committee visited Hawaii to investigate various pressing needs, such as improvements for the important Honolulu Harbor.

Several of the Congressmen were surprised to learn Hawaii was left out of the new multi-million-dollar road program and promised to try to do something about it. The head of the visiting group, Representative John C. Kluczynski, Democrat of Chicago, was one who went away with a new concept of why Hawaii needs statehood.

Kluczynski is convinced, he told me, that lack of statehood is keeping Hawaii from receiving a fair share of rivers and harbors works which are vitally needed.

Strangely enough, most Hawaiian residents do not complain about paying Federal taxes. Their complaint is against being treated as first-class taxpayers and second-class beneficiaries of Federal projects and programs.

JUDGE BACKS COMMONWEALTH STATUS

Justice Ingram M. Stainback of the Hawaii Supreme Court has been trying, without much success, to persuade Islanders that they should ask for a commonwealth status, such as Puerto Rico has, rather than statehood.

Puerto Rico, under its commonwealth status, is exempt from Federal taxes and is booming, businesswise, as a result, according to Justice Stainback.

"Exemption from Federal taxes would be worth billions to Hawaii in new business. Exemption from Federal taxes would turn Alaska into a new Sweden," Justice Stainback says.

He paints an alluring picture, so alluring that the listener gets the impression any of the 48 States would gladly accept commonwealth status if it could get preferred tax treatment in that way.

LACK OF STATEHOOD HAMPERS ACTION

But Justice Stainback has few followers for his plan in the Islands. The people here want statehood—not tax exemption, commonwealth status or any other condition.

A proposal in the last Territorial Legislation to ask for commonwealth status failed to get out of committee and another proposal to ask for tax exemption was defeated in the house 28 to 2.

Outsiders seldom realize how lack of statehood hampers the Territory in its efforts to grapple with problems which pop up constantly in a dynamic, progressive community.

Authority of the Territorial Legislature is limited by the act of Congress which set up the Territorial government in 1900. Gov. William F. Quinn of Hawaii recently went to Washington to discuss with congressional and other officials 64 bills passed by the legislature. The purpose of the discussions was to determine if any of the bills would require changes in the Organic Act of 1900.

BEACH PLAN BALKED BY ORGANIC ACT

Under the organic act, Hawaii may not lease any of its Territorial lands for a longer period than 21 years at a time. The Territory has a plan on foot to add to the land available along Waikiki Beach for resort hotels by creating two small islands through dredging and filling operations.

If built the islands undoubtedly would prove highly profitable for the Territory, but who would build a resort hotel on land which could be leased for no longer

than 21 years? Territorial officials hope to beat this problem by getting Congress to permit 55-year leases of Territorial land, and Senator John F. Carroll, Democrat of Colorado, has promised to discuss this change in the Hawaii Organic Act with members of the Senate Insular Affairs Committee.

Meanwhile, the island plan must await the pleasure of an absentee Government in Washington. With statehood, Hawaii could act quickly without waiting for approval.

Lack of statehood affects every section of the business community in ways which only island residents know. Hawaii has facilities for refurbishing naval vessels which are seldom used because voting Congressmen from coastal States have enough influence to get such business for their own cities.

Lorrin P. Thurston, chairman of the Hawaii Statehood Commission, is a newspaperman. He knows that many large companies allocate advertising among the States on formulas based on population and purchasing power but allocate only token amounts of advertising to Hawaii as they do to foreign countries.

GOVERNMENT SETUP DISCOURSES INVESTORS

"I have tried to raise capital in New York for Hawaiian companies and I know the fact we are subject to an absentee Government discourages investments here," says O. Vincent Esposito, attorney and speaker of the Territorial house of representatives.

Islanders cringe when they bump into the time-worn arguments against statehood but they have ready answers. One is the argument that Hawaii is not contiguous to the rest of the country or as U.S. Senator George W. Malone, Republican of Nevada, once put it, "Anyone can hitchhike from Maine to California but you can't hitchhike from California to Hawaii."

To that Islanders reply that California was not contiguous to any other State when it was admitted in 1850 and that a little more than a year from now Hawaii will be only 4½ hours from California by jet passenger plane.

ISLANDERS HAVE ANSWERS TO ARGUMENTS

To the argument that many Hawaiians are not Caucasians, Islanders reply that New Mexico was predominantly Spanish speaking only a few years ago and that Indians made up a considerable part of the population of Florida when it became a State.

The argument that statehood for Hawaii would dilute the already weak representation that populous States have in the U.S. Senate is not an argument against statehood but an argument for a change in the American system of government, Islanders hold. Hawaii can't see why it should be penalized because of the system of representation established by the Founding Fathers of the Republic.

[From the Denver Post, Jan. 22, 1958]

FORTY-NINTH STATE?—WHY HAWAII ASKS STATEHOOD

(EDITOR'S NOTE.—Why do Hawaiians want statehood? This article, last in a series, tells why.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Herbert Shimada is a union (AFL-CIO) plasterer who lives in a modest neighborhood out beyond Diamond Head. He and his wife and three sons are Buddhists. Otherwise they are as typical an American family as you could find in Flatbush or Denver.

Two of the sons are now attending college in Greeley, Colo. Both were Eagle Scouts. A cabinet in the Shimada home is a trophy case for the medals, cups, and letters the boys won in high school. The youngest son is a high school senior this year.

The Shimada home is spotless. Orchids grow in the front yard. If you drop in to call Mrs. Shimada will insist that you have a piece of coconut pie or some other delicacy.

When asked how he feels about statehood, Shimada was thoughtful for a moment.

"Here's the way I look at it," he answered. "I have been an American all my life. I was born here. It is my country. I know no other. I have no feeling for any other country. I work and pay taxes to the U.S. Government. I want to do my part to support the Government. But in all my life I have never been permitted to vote for a President of the United States. Is that because I am not really an American after all? That is why I am in favor of statehood."

In all walks of life there are Islanders who feel the same way.

Lorin P. Thurston, chairman of the Hawaii Statehood Commission and a man with a wide variety of business interests, told me the hardest job he had as a father was to try to explain to his son, now a war veteran with an excellent record for service, why Island Americans are not the equals, politically, of mainland Americans.

Dollars and cents reasons of statehood for Hawaii are numerous. Most Honolulu businessmen believe it would stimulate growth and commerce. Reasons of principle are the main consideration, however, Thurston believes.

Islanders laugh over many stories of the ignorance about the Islanders that visitors from the mainland frequently show. The chamber of commerce is accustomed to receiving letters asking what language is spoken here, what currency is used and whether visitors are required to have visas.

FORTY-NINTH STATE? -STATEHOOD FEELS TWO-WAY BOON

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU. Not so humorous to Hawaiians are some of the misconceptions that visitors from the Orient have of the Islands, according to Dr. Dat Ho Chun.

Dr. Chun, a University of Hawaii faculty member, is on loan to the U.S. Department of State to direct the reception center which the Department and the International Cooperation Administration operate in Honolulu.

"Three thousand visitors from 20 countries mostly Asian countries have passed through the center in 3½ years," Dr. Chun says. They include editors, doctors, engineers, government workers, local leaders.

Some come to study specific problems and American methods under ICA grant. Some take courses at the University of Hawaii. All are influential people in their own communities. Most of them get their first impression of America from what they see in Hawaii.

The lack of racial discrimination impresses them.

ASIANS SURPRISED BY TWO FACTORS

"But two things surprise most of them," Dr. Chun says. "One is that Hawaii, a modern, progressive, prosperous and democratic place, is not a State of the United States.

"The other is that the people of Hawaii do not want independence."

Most Islanders are keenly aware that the attitude many orientals are going to have toward the United States is going to be influenced by what happens to Hawaii's statehood aspirations. Here is the part of the United States which lies closest to the threshold of the Far East. Here is the part of the United States which understands Asia, its people, its problems.

Yet this part of the United States which is best able to influence Asian thought about the United States is itself a "colony," a Territory, without a voice in determining its own foreign policy, without a vote in Washington.

Statehood for Hawaii would have a heavy impact on the heavily populated countries of the Far East which are just emerging from colonialism themselves.

This is a reason for statehood which may seem theoretical to mainlanders. Out here in the Pacific where Asian visitors are arriving nearly every day, you get the "feel" of it and it seems very real.

STATEHOOD SHOULD BENEFIT UNITED STATES MOST

Since arriving here, another reason for statehood has occurred to me. It may be the most important of all.

It is entirely possible that statehood for Hawaii would do more for the United States "the mainland" than it would do for Hawaii itself. Of course, statehood

would fascinate the eyes of the Nation on Hawaii more than ever before. Magazines and newspapers would be full of articles about the new State.

The President and many Governors would be here for the statehood celebration. Hawaii industry and the Hawaiian tourist business would receive a new push. American prestige as a truly democratic country—which is conquering racial prejudice—would soar.

But there is another consideration. The United States has not added a new State for 45 years. Perhaps we have begun to think of our country as immature—as a land without further frontiers to develop and populate.

The feeling of maturity is bad for a country, as it is for an individual. Russia does not feel mature. It is developing. Its policies are aggressive and sinister in that they are aimed at beating down individual liberties.

In our maturity we counter Russian moves—first Asia, then in the Middle East. Perhaps we are satisfied with our country as it is. Perhaps we are interested primarily in preserving the status quo. Certainly we have been on the defensive. We have not shown much vision in developing new policies.

URGED AS BOOST FOR U.S. MORALE

The granting of statehood to Hawaii would give a boost to American morale at a time when sputnik has hurt our pride if not our chances for survival. It is something positive we could do to demonstrate American ideals of fair play. It would convince the country that we have not reached the end of the road. There are new frontiers. We are still a great, dynamic country with youth in our veins, opportunities ahead, and great jobs to accomplish to perfect and enrich our democratic way of life.

This is an opinion appended to an otherwise largely factual account.

From this point of view, Hawaiian statehood is important not only for Hawaii itself, but for all of us who live in Colorado and the other 47 States.

As I prepared to leave Hawaii, Riley Allen, the editor of the Honolulu Star-Bulletin, offered a final thought:

"If Hawaii is not ready for statehood now, after writing an outstanding war record in the blood of its young men, after proving its ability to combat communism, after demonstrating its industrial potentials—if it is not ready for statehood now, it never will be."

[From the Denver Post, Jan. 23, 1958]

THE CASE FOR HAWAIIAN STATEHOOD

The Denver Post has just concluded the publication of a series of articles on Hawaii, its need for statehood, and the combination of political and other factors which have kept this booming Territory outside the Union of States for more than half a century.

The purpose has been to provide a better understanding of this strategically important crossroads of the Pacific, to document the grave injustice of keeping the 540,000 Americans of the Islands in colonial status and to show that this country as a whole—not Hawaii alone—would benefit from a grant of statehood.

The Territorial government structure established by Congress in 1900 served well enough as long as Hawaii had nothing more than a semi-feudal, plantation economy. But it fails to meet the needs of the modern Hawaii—the Hawaii of rapidly developing, diversified small industry.

Hawaii elects a Territorial legislature and one delegate to Congress but the delegate has no vote in Congress and hence is deprived of effective influence. Hawaiians are not permitted to vote for President of the United States. The Governor of the Territory and the Justices of the Territorial Supreme Court are appointed by the President of the United States with the consent of the U.S. Senate.

Under these circumstances the Islands find themselves under serious disabilities. The Islanders pay all the Federal taxes other American citizens pay but they are shortchanged when it comes to sharing in Federal projects and programs.

The most shocking illustration of this inequity is the fact that residents of Hawaii pay the higher gasoline and excise taxes which were voted by Congress to build the Interstate System of superhighways, yet none of this new highway money is allocated to Hawaii.

Hawaii, because of Territorial status does not share equally with the States in necessary Federal public works. Territorial status hampers the local legislature in its efforts to deal with pressing issues because it is sometimes necessary to obtain the concurrence of Congress before legislative acts can go into effect.

Because Hawaii is subject to the whims of absentee government, Hawaiian enterprises sometimes find it difficult to attract outside capital. It sometimes loses out on its share of Government contracts.

Territorial status dilutes the benefits of American citizenship for residents of the islands and it hurts them on a dollars and cents basis, also.

But, in the final analysis, statehood for Hawaii should be considered on the basis of whether it would be good or bad for the United States--not only on the basis of whether it would be good or bad for the islands themselves.

The mainlanders who enjoy statehood should realize there is a potential danger to America's position of world leadership in the fact that Hawaii is being kept as a colony.

Colonialism is collapsing all around the world and the United States has added to its fall. But we are open to accusations that we practice colonialism ourselves as long as we withhold statehood from Hawaii. The people of Hawaii have been patient but if that patience should wear thin and the Islands should make an appeal to the United Nations to investigate their right to enjoy a better status, the effect on world opinion might prove disastrous.

Even now some islanders are contemplating a possible appeal to the U.N.

As a State, Hawaii would be an invaluable asset to the United States. The Far East is destined to play an increasingly important part in world affairs and Hawaii has a better understanding of the Far East than any of the existing States.

Congress and Washington in general should have the benefit of Hawaiian advice and knowledge in the shaping of Far Eastern policy, yet without statehood, no U.S. citizen of the Hawaiian Islands is empowered to speak with a voice which carries an authority or commands any attention.

Some opponents of statehood argue, Hawaii might send Americans of Japanese ancestry to Congress. We believe it would be a fine thing if Hawaii did, although it might not happen for some time.

Congress has members of Polish, Italian, African and other national origins. The election in California of a Congressman who was born in India has probably done more to enhance American prestige in southern Asia than all the foreign aid we have extended that area. A Japanese in Congress from Hawaii? Why not?

Statehood for Hawaii might be good for American mental attitudes, we believe. It would remind us we are a young country, still growing, still putting our ideas of freedom, equality of opportunity and representative government to practical tests in constantly expanding areas.

The case for statehood is so strong that it is difficult to believe Hawaiian colonialism will be permitted to endure much longer.

Senator CARROLL. Mr. Chairman, I have only this to say. With the fine statement of the distinguished Senator from California, and the comments of the Secretary of Interior and I believe the comments that I have read in the record by the Democratic majority leadership, this is no longer a political question, and as so ably described by the Senator from Idaho, Senator Church. This is more than just granting something to the Hawaiian Islands. This is something that we need. One of the great authors, Mr. Michener, said:

If we continue to deny the people of Hawaii statehood, they themselves will turn against us and they will ask for an independent status.

This is what has been happening all over the world. Most of the folks who come into the Hawaiian Islands from other countries, and some of the so-called colonial areas, do not understand the patience or the tolerance of these people of the Hawaiian Islands. The reason for it is that they are a patient people. They are American citizens. The time has come, in my opinion, to grant them statehood.

Senator JACKSON. Thank you, Senator Carroll.

Senator Gruening.

STATEMENT OF HON. ERNEST GRUENING, U.S. SENATOR FROM THE STATE OF ALASKA

Senator GRUENING. Mr. Chairman, I understood that in preparing for this hearing you indicated that you would not like to hear anything but new testimony. I think that was a very wise suggestion because everything that needs to be said and that can be said in favor of Hawaiian statehood has been said again and again, and said with great eloquence and great conviction and great truth. As was evidenced this morning by the statement of Secretary Seaton and by my distinguished colleagues here on the dais by your own statements, Mr. Chairman, by Senator Kuchel who was so helpful to us in our fight for Alaskan statehood, and Senator Church, whose eloquence greatly speeded the admission of Alaska, and by the remarks of Senator Carroll it has all been said. Needless to say, I completely share their views.

I feel and have long felt ever since I came into the service of the Government 25 years ago that Hawaiian statehood was overdue and that it was more important for the United States to grant Hawaii statehood than for Hawaii to receive it. While the people of Hawaii will be the beneficiaries of becoming first-class citizens, their gains will be largely abstract and spiritual. Their gain will not be very much like that of Alaska, which stood to achieve many material gains in the liquidating, or the prospect of liquidating many specific economic discriminations which the people of Alaska suffered under their Territorial colonial status.

That is not the case with the people of Hawaii. The gain of the people of Hawaii will be the spiritual gain of becoming first-class American citizens and achieving that equality which is inherent in our faith and in our time-honored professions that we shall have no colonies, and that in the words of the Founding Fathers, all men were born free and equal. But it is our country as a whole that stands so much to gain by the admission of Hawaii. For Hawaii presents, not merely to the rest of the world, but to the sister States the finest example of ethnic democracy under the flag. In our constant striving to live up to our professions of democracy, to live up to the pronouncements so clearly enshrined in the declaration of the fathers of this country, and which are deep seated in our convictions, we can find no finer example of materializing those ideals than we find in Hawaii.

Therefore, I think Hawaiian statehood will greatly strengthen the Union. It will strengthen our faith in ourselves. It will reaffirm our ancient convictions to admit Hawaii as the 50th State.

I would like to take this occasion to pay a particular tribute to Hawaii's Delegate Jack Burns, whose statesmanlike attitude and performance in the 85th Congress cannot be praised too highly. At what were clearly grave political risks, but with full understanding of the complexities and intricacies of the situation, he refused all blandishments and wisely declined to advance the cause of Hawaii simultaneously with that of Alaska. While that could have been easy to do because the case of Hawaii was much older, because Hawaii was qualified for statehood long before Alaska was, he nevertheless realized that on the basis of past experience—on the basis of what happened a few years ago—when Alaska was advanced by those who did not want to see either Alaska or Hawaii become States, with

the object of defeating both, the action and attitude of Delegate Burns was both statesmanlike and clearly correct. In consequence, I am convinced that this Congress will early admit Hawaii as the 50th State. It will be, I think, the greatest achievement of this Congress, and, coupled with admission of Alaska in the 85th, perhaps the greatest achievement of Congress in this entire decade.

I think that all the arguments that have been advanced in the past against the admission of new States have fallen to the ground. The last one, the argument of noncontiguity, has been eliminated, for when Alaska was admitted, we all realized that in this rapidly shrinking world distance and physical separation no longer matter.

In addition to the great contribution that Hawaii will make as our outstanding example of ethnic democracy, Hawaiian statehood will be a great gesture to the uncommitted peoples of the world, as a proof that America practices what it preaches. Hawaii also has other things to contribute. It contributes that cultural diversity which those who have been to Hawaii have found so winning and so beautiful. One comes to Hawaii and is greeted by music and flowers. Music and flowers accompany one throughout one's stay. One leaves amid music and flowers. The aloha spirit of kindness and friendliness which contains so much of the Golden Rule is something the world needs more of. As we admit Hawaii to statehood, as I am confident we will, we will be hailing that great spirit and incorporating it in the entire Union.

Senator JACKSON. Thank you, Senator Gruening.

Senator MOSS.

Senator MOSS. I have no comments.

Senator JACKSON. Senator Bartlett was here a few minutes ago and was called away to another committee meeting, and desires to make a statement a little later. Senator Bennett has submitted a statement, which I direct appear at this point.

(The statement is as follows:)

STATEMENT BY HON. WALLACE F. BENNETT, A U.S. SENATOR FROM THE STATE OF UTAH, ON HAWAII STATEHOOD

Mr. Chairman, Hawaii is now and for many years has been fully qualified for statehood. Last year, Congress admitted Alaska into the Union, an area much less ready for statehood than in Hawaii. Congress would be manifestly unjust if it did not now admit Hawaii to the Union; failure to do so would be the rankest discrimination.

The arguments for statehood are so overwhelming that I need not dwell upon them at length. After conducting 22 hearings since 1935 and amassing a record of 6,600 pages, not including this hearing, the Interior Committees of Congress should not be further belabored. I have visited Hawaii twice within the past decade and I can personally testify as to the complete readiness of the people of Hawaii for statehood. Their economy is sound, much more so than that of Alaska's. Indeed, Hawaii will be the richest territory ever to be admitted to the Union. The \$106 million in taxes which the people of Hawaii contributed to the Federal Treasury last year can hardly be regarded as inconsequential, particularly since it exceeds the amount paid by some of our present States.

Hawaii has a population of 613,000 people, which will make it larger than all but one State at the time it entered the Union. The loyalty of the Hawaiian people has been so frequently demonstrated that there remains no reasonable doubt as to their patriotism and devotion to the United States. At a time when Japanese-Americans were subjected by our Government to rather shameful treatment both in Hawaii and on the mainland, they remained steadfast and loyal. The record of these people in our armed services requires commendation,

not apology. The loyalties of the Nisei in Hawaii are no different than the Nisei in Utah, and they are among our finest citizens.

Some people have raised the question of communism in Hawaii. The Korean war gave the clearest possible refutation to this argument. The record of the Hawaiian-Americans in the Korean war was excellent as glowingly testified to by our military leaders. Moreover, Hawaii was a vital link in our supply lines to Korea during the entire war. Not only the military but also the Department of Justice supports Hawaiian statehood. The statehood bill will actually increase the ability of the Hawaiian people to stamp out communism.

There is a great community of interest between my own State and the people of Hawaii. Many Utahans now live in Hawaii and many more travel to the Islands, often for extended visits. Many Utahans assist in building schools and churches in Hawaii through their financial support of the Mormon Church, which has many members on the Islands.

We in Utah, even though we were fully qualified for statehood, had to wait 46 years before our admission. We are therefore naturally sympathetic to the plight of Hawaii, which has been awaiting admission to the Union for 58 years. There should be no further delay; the time has arrived for creation of our 50th State. I am proud to be a sponsor of S. 50, which would admit Hawaii, and I urge the committee to speedily report it favorably to the Senate.

Senator JACKSON. Senator Clair Engle also, I understand, has a statement that he would like to make. If there is no objection, the statement will be included in the record at this point.

(The statement referred to follows:)

**STATEMENT OF HON. CLAIR ENGLE, A U.S. SENATOR FROM THE STATE OF CALIFORNIA,
ON HAWAII STATEHOOD**

I am very hopeful that this will be my last appearance before a congressional committee in behalf of Hawaii statehood.

It is not my intention today to go into any lengthy documentation of the case for Hawaii statehood. The record is formidable. It is replete with testimony that demands that the 86th Congress act without fail to make Hawaii our 50th State. For a number of years as a member of the House committee dealing with Territorial matters and as its chairman for 4 years, I was deeply involved in the question of statehood. I am convinced without question that the Territory of Hawaii has long been ready for statehood and that we will be guilty of grave dereliction if we delay any longer to bring it about.

The smokescreen of spurious arguments advanced by the opponents of Hawaii statehood has been thoroughly pierced, and in its disintegration it has been shown up for what it is—a device to hide the personal motives of the opponents of statehood.

The favorite line of the opposition has been to impugn the loyalty of Hawaii's citizenry, but the evidence shattering their accusations continues to grow in strength and volume. In June of 1953 Senator Hugh Butler, one-time foe of statehood because of possible Communist influence, "made this statement at a Senate hearing:

"I believe the residents of Hawaii during the past 4 years * * * have demonstrated by positive action their awareness of the Communist danger and their determination to face it frankly and never let it strengthen its foothold. During those years they have fought it boldly, have restricted its influence, and to some degree have driven it underground. I believe they have shown that they are as well able as the Federal Government to cope with this measure."

James Michener, in his article in the December 1958 Reader's Digest came to this conclusion after an extensive study:

"Hawaii does suffer from a Communist threat. So do San Francisco and Baltimore—and all America. Hawaii's problem is no different from that of any other area. * * *

"Hawaii is not a captive of the Communists. It is fighting back exactly like any mainland community. Its record is impressive."

It is no longer necessary to answer the argument of noncontiguity. It was answered firmly and finally when Congress last year made Alaska our 49th State. And there is no need to dwell on the argument of small population. It has been soundly refuted by the fact that Hawaii's 550,000 population exceeds that of five of our present States.

There remains then the basic question of whether Hawaii is economically, socially, and politically ready to become a State. These tests have all been met. There is no disputing the cold, hard facts and figures that point up the economic prosperity of Hawaii. There is no mistaking the American culture and philosophy that dominates the lives of Hawaii's polyglot mixture. And there is no disputing the political maturity of the men and women in the legislative halls and the executive corridors of the Territory of Hawaii.

Last fall a joint congressional committee visited Hawaii. It went there with open eyes and open mind, self-consciously aware of the need to keep itself free of preconceived ideas and foregone conclusions. Members of the committee walked and rode and flew around the Islands talking to people in every phase of life and meeting with labor and business groups and with fraternal, political, and community organizations. The committee came back enthusiastic. It came back secure in its conviction that Hawaii must become a State. In its report the House members of the committee concluded that "admission of Hawaii, with its mixed races and its geographical position will vastly improve our posture and relationship throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million free and friendly."

Hawaii will, of course, benefit immeasurably from statehood. But let us not underestimate the economic, political, and diplomatic advantages that the United States, as a nation, will gain in having as a strong outpost in the Pacific a member of its family of States. Let us not underestimate the fact that if we fail to bring Hawaii into this family we face the possibility of the Territory becoming a Commonwealth and all that that implies—a nation that belongs to us and yet does not.

In conclusion, I want to emphasize that the issue of Hawaii statehood is as much an international as it is a domestic issue. The nations in the Far East and elsewhere are watching us very closely on this. If we want to maintain the faith and confidence in us as a great democracy, we cannot afford to equivocate on this matter. There is a gap here between our pretensions and our performance. Let us close the gap by waiting no longer to make Hawaii our 50th State.

Senator JACKSON. The Chair now would like to call on the able and distinguished Delegate from Hawaii who has done such an outstanding job of statehood for Hawaii, and as Senator Gruening has ably pointed out, a very effective proponent of statehood for Alaska last year.

STATEMENT OF HON. JOHN A. BURNS, DELEGATE TO CONGRESS FROM THE TERRITORY OF HAWAII

Delegate BURNS. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, I have a prepared statement which I would request permission to have inserted in the record, and which in the interest of time I will try to highlight.

Senator JACKSON. Without objection, it will be included at this point.

(The statement referred to follows:)

STATEMENT OF HON. JOHN A. BURNS, DELEGATE TO CONGRESS FROM HAWAII

Mr. Chairman and members of the committee, it is an honor for me to have the opportunity of appearing before this committee to testify about the readiness of the people of Hawaii for statehood.

The subject of statehood for Hawaii has been before the administrative and legislative branches of the Government of the United States since 1854. Twenty-two congressional investigations have been held on this subject in Hawaii and Washington. Some thirty-four volumes of testimony have been printed by Congress. This official record is 6,600 pages long.

Since 1946, each congressional committee directly investigating statehood has concluded that Hawaii has entirely fulfilled the historical requirements for State government, and beyond this, that Hawaii as a State in the Union would

prove, in several respects, a unique and an invaluable asset to the United States.

The most recent committee review was concluded earlier this month by the House Committee on Interior and Insular Affairs. Its favorable recommendation that the statehood bill do pass is contained in report No. 32, dated February 11, 1959.

This report gives the background of statehood legislation and a résumé of Hawaii's qualifications for State government. It emphasizes Hawaii's growth in population, and its strong economy. It covers such subjects as agriculture, tourism, national defense, transportation, utilities, and labor force, and gives current data about each.

The bill before the Senate committee was introduced by Hon. James E. Murray and more than 50 cosponsors. It provides for the recognition of the fact that the constitution of Hawaii was adopted on April 4, 1950, by the convention established for that purpose; and adopted on November 7, 1950, by the voters of Hawaii by a 3 to 1 majority; that it is republican in form; and that Hawaii is to be admitted as a State.

A previous report of the Senate Committee on Interior and Insular Affairs points out that there have been throughout our history three standards required for admission to statehood:

- (1) That the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government.
- (2) That a majority of the electorate desire statehood; and
- (3) That the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

With regard to the first requirement—that the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government, the people of Hawaii are thoroughly American. They have been steeped in American tradition since the teachings of the New England missionaries began in Hawaii in 1820. It is no wonder our youngsters of many heritages speak with pride of "our Pilgrim forefathers." Hawaii's record during wartime is a proud one. Participation by all of the people of Hawaii in the World War II efforts, for example, brought much praise from such military leaders as Adm. Chester W. Nimitz, whose testimony is part of the record.

Hawaii is living proof that democracy as advocated by the United States affords a solution to some of the problems plaguing the world. The citizen of Hawaii, the new man of the Pacific, with his love for American democracy, is our Nation's most effective bridge to the Asian world.

With regard to the second requirement—that a majority of the electorate desire statehood—the record is quite clear. This record will be brought up to date if the plebiscite recommended in H.R. 4122 be held. History shows that in 1941, Hawaii's electorate voted 2 to 1 for statehood. In 1950, on approving the constitution of Hawaii, the people voted 3 to 1 favor of adoption. The legislature of Hawaii has petitioned Congress many times for statehood. Numerous organizations and associations have also urged that Hawaii be granted statehood. Hawaii's people urgently desire to participate in the full responsibilities of American citizenship.

Hawaii's population and its resources are known to be sufficient to support State government, and to provide its share of the cost of the Federal Government. Our board of health on July 1, 1958, shows the population of Hawaii to be about 582,000 people—a population larger than that of several States. Its resources to support the costs of government are many and varied.

Territorial tax revenues from all sources for the fiscal year ended June 30, 1958, amounted to more than \$122 million.

Federal taxes paid to the United States Treasury in 1957 amounted to \$164,479,000. This is a sharing of the cost of our Federal Government which exceeds, in amount, that of several of the States.

Figures on Hawaii's business and economic conditions show, in 1958, that our personal income totaled more than a billion dollars. The 1958 per capita income exceeded that of 26 States.

Hawaii's 27 sugar plantations recently harvested 1,084,000 tons of raw sugar from more than 100,000 acres of land. In 1957, 16,791 employees earned a total of \$56,123,000. This is an average annual income of \$3,342.

Pineapple production, like sugar, may be described as "industrialized agriculture." The industry cans about 30 million cases of pineapple and juice per year, valued at \$115 million. The total value of diversified agriculture products (crops and livestock) amounts to less than one-fifth of the aggregate value of sugar and pineapple—but they show possibilities for growth in the years that lie ahead.

Tourist trade in Hawaii has recorded a far more rapid growth during the postwar period than any other economic activity—from \$6 million annually in 1946 to nearly \$80 million in 1957—over a 1,000 percent increase. There were 170,000 visitors in 1957, and the jet aircraft will soon help double that figure.

In 1957, military expenditures in the Territory totaled \$308 million.

Other economic conditions are reflected in the following:

Retail trade showed substantial gains from \$612 million in 1956, to \$606 million in 1957.

The gross assessed valuation of real property is about \$2 billion.

The construction industry did a volume of business estimated in excess of \$135 million in 1957—a peacetime high. The estimated total for 1958 is \$200 million.

The labor force numbers approximately 210,000.

Our country, the United States of America, has always championed the rights of the American citizen. We have stressed, too, the responsibilities of citizens that are a real part of these rights.

Statehood for Hawaii would accord its half-million American citizens specific rights presently not theirs:

1. The right of voting representation in both the Senate and the House of Representatives;

2. The right to vote for the President and Vice President of the United States;

3. The right to choose their own Governor and to carry on functions of government by their own elected officials instead of Federal administrators;

4. The right to determine the extent of the powers to be exercised by their own legislature;

5. The right to have local justice administered by Judges selected under local authority rather than by Federal appointees;

6. The right to freedom from overlapping of Federal and local authority; and

7. The right to a voice in any proposed amendment of the Federal Constitution, as well as on the taxes which they must pay.

These rights are historical rights in the United States of America, and should be granted during this session of Congress to the people of Hawaii.

Delegate BURNS. I first would like to acknowledge the kind compliments which you and the members of the committee have paid to me. I might say that my interest in Alaska was that of an American but primarily it was in the enlightened self-interest of Hawaiian statehood for my own constituents. It is a distinct honor and privilege to appear before this distinguished committee this morning to testify about the readiness of the people of Hawaii for statehood and on behalf of the bill before you, and I wish to acknowledge the expression of trust and confidence, and believe in the people of Hawaii by the distinguished sponsors of the bill in the Senate. Some 55 Senators are cosponsors of the bill which I believe is one of the highest figures that has ever been reached on any Senate bill.

The subject of statehood for Hawaii has been before the administrative and legislative branches of the Government of the United States since 1854. Twenty-two congressional investigations have been held on this subject in Hawaii and Washington. Some 34 volumes of testimony have been printed by the Congress. This official record is 6,600 pages long.

Since 1946, each congressional committee directly investigating statehood has concluded that Hawaii has entirely fulfilled the historical requirements for State government, and beyond that, that

Hawaii, as a State in the Union, would prove in several respects a unique and invaluable asset to the United States.

To try to bring in fresh information, though some of it might be repetitions to that introduced by Secretary Seaton, whose invaluable assistance is acknowledged with deep gratitude, Hawaii's population and its resources are known to be sufficient to support State government, and to provide its share of the cost of the Republic.

Our Board of Health on July 1, 1958, shows the population of Hawaii to be about 582,000 people, a population larger than that of several States. The Territorial tax revenues from all sources for the fiscal year ending June 30, 1958, amounted to more than \$122 million. Federal taxes in 1958 amounted to \$166,306,000, as reported by Secretary Seaton. Figures on Hawaii's business and economic condition show that in 1958 our personal income totaled more than a billion dollars. The 1958 per capita income exceeded that of 26 States. Hawaii's 27 sugar plantations harvested 1,084,000 tons of raw sugar. In 1957, 16,791 employees earned a total of \$56,123,000, an average annual income of \$3,042. The pineapple industry is industrial agriculture as is sugar. The industry cans about 30 million cases of pineapple juice per year providing \$115 million. The total value of diversified products, crops and livestock, amounts to less than one-fifth of the aggregate value of sugar and pineapple, but they show possibility of growth in the years that lie ahead.

The tourist trade in Hawaii has recorded a more rapid growth during the postwar period than any other economic activity. From 6 million annually in 1946 to nearly 90 million in 1957, over 1,000 percent increase. In 1957, military expenditures in Hawaii totaled \$308 million. Retail trade showed substantial gains from \$612 million in 1956 to \$666 million in 1957.

The gross assessed valuation of real property is about \$2 billion.

The construction industry did a volume of business estimated in excess of \$137 million in 1957, a peacetime high. The estimated total for 1958 is \$200 million.

The work force of Hawaii numbers approximately 210,000.

I would like to refer to the statement which the distinguished chairman of this committee made, and to close my presentation with this particular remark:

Hawaii offers a population equipped by background and daily life for living among and dealing with the peoples of the Far East and the Near East, virtually billions of people. Hawaii's people possess the essential qualities needed to symbolize the United States to the world, and particularly to those of the Pacific Ocean area and Asia. Hawaii's people are Americans who have distinguished themselves in war and in peace by their demonstrated dedication and devotion to the American ideals. In Hawaii are people of Oriental ancestry, Polynesian ancestry and Caucasian ancestry, working and living together in intimate association. Here there is no racial prejudice of people, true to the tradition of the Polynesian Hawaiian, who raise no barrier of race, color, or creed. Here in Hawaii are found Americans with an understanding and a tolerance of the cultures of many people with whom the global, political, and commercial involvements of the United States are vitally concerned.

The president emeritus of the University of Hawaii in 1956 said—

Hawaii is infinitely more important than its small area would seem to indicate. It is far more than a playground for tourists, far more than a military outpost. It is the path of the United States into a future world understanding.

Such success as our program has enjoyed in Asia and in the Far Pacific Ocean area to date has been due in large measure to some 4,000 Hawaiian citizens, Americans all, working in those areas as a part of our economic, social and political programs in those areas. Except for the field of the top leadership to which our territorial status does not particularly contribute, Hawaii's people have met the test to the honor and credit of the United States, and to the welfare of the people of the United States. Hawaii's people not only desire the wider horizons, but it is necessary to the welfare of the United States that they be given the greater horizons that will be available to them under statehood.

Mr. Chairman, I am available to the committee for any help that I can give in the future consideration of this bill and to any questions that I may answer.

Senator JACKSON. Thank you for your very fine statement, Delegate Burns, and we would like for you to stay through the hearings and likewise during the markup of the bill, if there is no objection.

Senator CARROLL. Mr. Chairman I would like to make a comment on our trip that we have discussed, with Senator Church and members of the House. Delegate Burns met us in the city of Hilo on the Island of Hawaii. He stayed with us throughout the trip. He made arrangements so that the House delegates, most of whom traveled all over the Island, with business groups, labor groups, gave us full co-operation, and as the former Governor Gruening, now Senator Gruening, has indicated, he was hard put to it by virtue of his support of statehood for Alaska, his people felt during the last election that perhaps he sold them out. He had a hard time explaining his position, but he did explain it successfully.

My point is now to say to Delegate Burns that with these 56 Senators, you not only have quantity, but I hope you have some quality, too. I think this bill will come through the U.S. Senate in good shape. You have made a very fine presentation. No man—I have watched them down through the years—ever fought harder for Hawaiian statehood than you did. That is the consensus of the opinion of the men who have been in the Hawaiian Islands.

Senator KUCHEL. Mr. Chairman, I would like, as a representative of the minority on this committee, to echo the sentiments which have been reiterated by the junior Senator from Alaska and the junior Senator from Colorado. Delegate Burns, you took the path of statesmanship and you avoided the path of demagoguery last year. I salute you for doing it. I think that many of those who wanted you and who urged you to demand that Hawaiian statehood be given equal consideration with the Alaskan statehood were interested not in helping Hawaii, but in banging the door shut on both territories. As far as I am concerned, you performed in a highly creditable manner for the people you represent here in the position you took with respect to the problem last year of statehood for Hawaii.

Delegate BURNS. Mr. Chairman, may I comment in response that I appreciate very deeply the kind compliments, but I believe I actually represented the character and integrity and the deep loyalty and faith of the people of Hawaii, and I trust that I was their true representative in what I did.

Senator JACKSON. Thank you very much, Delegate Burns.

Senator Bartlett, we would be delighted to hear from you now.

STATEMENT OF HON. E. L. BARTLETT, U.S. SENATOR FROM THE STATE OF ALASKA

Senator Barrillarr. Thank you, Mr. Chairman and members of the subcommittee. I fear that I may be appearing before you somewhat in the role of an imposter for I must confess that I am brought here today more by an exercise of desire than of reason. This is because the distinguished chairman of the subcommittee, Senator Jackson, stated previously, and very properly, in my opinion, that he desired to hear only witnesses who could contribute something new to the subject. That I cannot. I doubt very much whether anyone else can, either pro or con. Everything that can be said, I believe, on the subject of Hawaii statehood for and against has been said. I was delighted to learn that this subcommittee is not going to conduct extended and extensive hearings. The record already made speaks for itself. Nothing new has been added. I appear here only to restate a long and deep and affirmative interest.

Ever since I came to Washington over 14 years ago, I have believed firmly in Hawaii statehood. If I did not so believe I think I would have been converted by the testimony before the House Committee on Interior and Insular Affairs, by the testimony of Admiral Nimitz many years ago, when he appeared before that group in advocating statehood for Hawaii.

Mr. Chairman, I have taken the position that independent of any other legislative considerations, Hawaii was entitled to statehood. Back in March 1953, when the cause of Alaska statehood appeared to be very bleak, I said these words to the House of Representatives when a bill for Hawaii was being debated:

I want to say here that if I were convinced at this moment that Alaska would never attain statehood, or at least never in our time, that notwithstanding I should be for Hawaii statehood, and would hope that this House would pass a bill providing statehood for Hawaii, because not only are the people of Hawaii abundantly entitled to statehood but the granting of it would reflect to the glory and benefit of the United States.

Mr. Chairman, someone said years ago--so long ago that the prospect and the hope for statehood for either Hawaii or Alaska was very slight--that Hawaii was more entitled to statehood, Alaska needed it more. That someone meant, of course, that Alaska needed statehood more in the concept of the traditional western territory, for grants of land and for other purposes, so that it could expand and grow. He meant, as I understood it, that Hawaii had passed at that time every test ever applied to any Territory seeking admittance to the Union, and was prepared then, as it has been ever since, to enter the Union as a State. That someone who made that remark, which has remained with me all this time, and which I believed and believe to be exactly descriptive, was none other than the junior Senator from Alaska, Ernest Gruening. At that time he was Governor of Alaska.

Mr. Chairman, statehood comes to a territory as it came to Alaska because of the work and will of many thousands of people. There are always, of course, some leaders of any such movement. I would want to join the others who have spoken here this morning in praising Secretary Seaton for his advocacy of the cause of Hawaii statehood. He has made a fine statement here, and from our experience with his ef-

forts relating to Alaska, I know that his contributions will be constant, massive, and effective.

I recall ever so well how the course of Alaska statehood changed, and for the better, after Secretary Seaton came to office. I would not want to close, Mr. Chairman, without adding my word to the voices of the other Senators who have spoken on this subject concerning the policy adopted last year by Delegate John A. Burns of Hawaii when he stood for Alaska statehood. Had he yielded to the pressures which were exerted upon him and very forcibly, and in considerable numbers, I am convinced that Alaska would not now be a State and that statehood for either Alaska or Hawaii might be far distant.

Mr. Chairman, I know because of the work of this committee a Hawaii statehood bill will be soon on the floor of the Senate. During my time in that body, I shall cast no prouder vote than the one that I intend to give for Hawaii statehood. Thank you.

Senator JACKSON. Thank you, Senator Bartlett.

Senator CUTTER. Mr. Chairman, now that all members of the committee have expressed themselves on the subject before us, I just want to express what may be a vain hope that the same degree of unanimity exists on the floor of the Senate as exists in this committee.

Senator KUCHEL. I want to tell my good friend, Senator Church, that I share his hope, but I think we will both be a little frustrated.

Senator JACKSON. Time will take care of it, I think, pretty well. The question is how much time.

Senator CARROLL. How much frustration.

Senator JACKSON. I would not say frustration. I would say how much patience.

Senator CARROLL. I think with the chairman. There will be some contest, but the chairman's great leadership will carry us over that hurdle.

Senator KUCHEL. I will join Senator Carroll in his comments.

Senator JACKSON. The Chair would like to inquire as to whether or not there are any additional witnesses, other than the ones that I am about to read, who desire to be heard in connection with these hearings? The Chair intends to call next the General Counsel for the Civil Aeronautics Board, Mr. Stone, and after that Mr. William Heen, former Territorial Senator from Hawaii, and vice chairman of the Hawaiian Statehood Commission, and then Mrs. Margaret Hopkins Worrell, past president of the Ladies of the Grind Army of the Republic, and Mr. Mike Masnoka, who is the Washington representative of the Japanese American Citizens League.

Is there anyone else who desires to be heard?

The Chair asks the question because if there is no objection, we intend to resume at 2 o'clock this afternoon, and possibly finish the hearings today. If anyone desires to be heard, the Chair would like to know in the interest of working out the program for the balance of the day. The Chair hears no request to testify, and the schedule then will be pretty much as indicated by the list of witnesses.

The next witness is Mr. Frank Stone, the general counsel for the Civil Aeronautics Board.

Senator CARROLL. Mr. Chairman, before Mr. Stone begins his testimony, I must be excused. I have to go to an Anti-Monopoly Subcommittee hearing, and I apologize to the folks who have come all the way here from the Hawaiian Islands.

Senator JACKSON. Before the Senator leaves, the Chair would like to announce that if we finish the hearings today, I should like to call a meeting of the subcommittee for tomorrow morning in executive session to proceed to markup the bill, with the hope that we will finish it either tomorrow or the next day, so it can be submitted to the full committee at the regular meeting on Tuesday for committee action. I would just like to announce that now, unless there is objection to the contrary. I think that because all members of the committee are aware, of course, that this bill was reported out last summer, we have the report, there may be some minor modifications but I do not anticipate any major changes. So the task of drafting or revising the bill will be for the most part minor. We will meet this afternoon at 2 and at 10 o'clock in the morning in executive session as a subcommittee to mark up the bill.

Senator JACKSON. Mr. Stone, do you have a prepared statement?

STATEMENT OF FRANKLIN M. STONE, GENERAL COUNSEL OF THE CIVIL AERONAUTICS BOARD

Mr. STONE. Yes, I do, Mr. Chairman.

Senator JACKSON. I assume you would like to proceed to read it.

Mr. STONE. If I may.

Senator JACKSON. You may proceed.

Mr. STONE. Mr. Chairman and members of the committee, my name is Franklin M. Stone. I am general counsel of the Civil Aeronautics Board. I appreciate the opportunity of appearing before the committee and discussing the effect of S. 50 in relation to the regulatory responsibilities of the Civil Aeronautics Board under the Federal Aviation Act of 1958.

The Federal Aviation Act bestows upon the Board the powers of economic regulation of air transportation (title IV) and of investigation of aircraft accidents and other matters pertaining to safety in air navigation (title VII). The economic regulatory function includes, among other things, licensing of air transportation, rate-making, and approval of mergers, common control and contracts between air carriers.

Licensing by certification of air transportation from the United States to its territories or possessions and within the territories or possessions, as well as foreign air transportation, and the issuance of foreign air carrier permit, are made subject to presidential approval by section 801 of the act.

The air transportation situation as it relates to Hawaii may be briefly described as follows:

Regularly scheduled air transportation within the islands is furnished by two certificated air carriers, Hawaiian Airlines, Ltd., and Aloha Airlines, Inc. (formerly Trans-Pacific Airlines, Ltd.).

Regularly scheduled air transportation between the islands and the mainland is furnished by the certificated air carriers, Northwest Airlines, Inc., Pan American World Airways, Inc., and United Air Lines, Inc.

None of these carriers is currently receiving subsidy.

If I may interpolate at this point I would like to explain that last statement a little bit. None of these carriers are currently receiving

subsidy. It should be pointed out that application for subsidy is pending. That is, the carriers are on open rates. Whether or not they will be entitled to subsidy will depend upon evidence that is presented and the understanding reached between the Board and the carrier on the basis of financial condition.

Senator KUCHEL. Have all the carriers you have mentioned here filed such application?

Mr. STONE. That would apply to Hawaiian and Aloha Airlines and not the other carriers.

Additional service between the United States and Hawaii is provided by supplemental air carriers and three regularly scheduled foreign air carriers are operating to the islands under the authority of permits issued by the Board under section 402 of the Federal Aviation Act. They are Canadian Pacific Airlines, Ltd., Japan Air Lines Co., Ltd., and Quantas Empire Airways, Ltd.

All the air carriers I have mentioned are of course operating subject to the regulatory controls provided in the act.

In order to determine the changes that will take place with respect to the economic regulation of these air carriers upon the admission of Hawaii as a State, it is necessary to examine some of the provisions of the Federal Aviation Act rather closely.

Under the Federal Aviation Act of 1938, the Civil Aeronautics Board exercises economic regulatory jurisdiction over carriers engaging in interstate air transportation, overseas air transportation, and foreign air transportation. "Interstate air transportation" is defined in relevant part to mean (a) transportation between a place in any State and a place in any other State, or (b) between places in the same State through the air space over any place outside thereof, or (c) between places in the same Territory of the United States.

"Overseas air transportation" is defined in relevant part to mean transportation between a place in any State and any place in a Territory of the United States.

The regulatory jurisdiction of the Board over interstate and overseas air transportation extends to authorization to engage in such air transportation, to the fixing of rates (or at least maximum and minimum rates) for the carriage of persons and property, and to mail pay and subsidy, as well as to such matters as mergers, contracts between carriers, and so forth.

The Board now exercises economic regulatory jurisdiction over air transportation between the continental United States and the Territory of Hawaii by virtue of the definition of "overseas air transportation" cited above.

The Board now exercises economic regulatory jurisdiction over air transportation within and between islands of the Territory by virtue of the portion of the definition of "interstate air transportation" which includes transportation between places in the same Territory.

Upon the admission of Hawaii as a State, the Board would continue to exercise economic regulatory jurisdiction over air transportation between the State of Hawaii and the continental United States, by virtue of the portion of the definition of "interstate air transportation" which refers to transportation between the States.

Under the existing status of Hawaii as a Territory, the Board's certification powers with respect to air transportation within Hawaii

are subject to approval of the President pursuant to the provisions of section 801 of the act. Likewise subject to Presidential approval are the Board's certification powers with respect to air transportation to and from Hawaii would become interstate air transportation, and hence the Board's certification powers in connection therewith, would no longer be subject to Presidential approval.

Air transportation within or between the islands would become either intrastate transportation, or to the extent that it passed through airspace over a place outside the new State, or involved carriage of traffic moving across the boundaries of the new State, would become interstate air transportation, and hence no longer subject to Presidential approval.

To the extent that the channels and waters between the islands comprising the land area of the State of Hawaii are not defined or considered to be a part of the State of Hawaii, the Board would also continue to exercise regulatory jurisdiction over air transportation between the islands by virtue of the definition of interstate air transportation, since the carrier would be traveling between points within the same State, but through the airspace outside thereof.

In *United Airlines et al. v. Public Utilities Commission of California et al.* (109 F. Supp. 13 (N.D. Cal., 1952), reversed without reference to the merits, 346 U.S. 402), a U.S. district court held that the Public Utilities Commission of California lacked regulatory power over a carrier flying between California and the island of Catalina off the California shore, on the ground that the waters between the mainland and Catalina were not waters of the State, so that the carrier would be traveling through airspace not a part of the State.

Senator KUCHEL. Is the trial court decision still recognized by the Board as valid since you go on to say here that the Supreme Court reversed it without reference to the merits?

Mr. STONE. We still feel that decision is binding.

Senator KUCHEL. Is a sound one?

Mr. STONE. Yes, sir; Senator.

Senator KUCHEL. That, I suppose, is on the ground that the historic decision of the Government of the United States and its territorial waters are 3 miles seaward of the low water?

Mr. STONE. That is correct, sir.

Transportation by air which originates and terminates on the same island and does not involve flight through airspace outside the State or carriage of traffic moving in interstate or foreign commerce would be under the jurisdiction of the State of Hawaii. Moreover, if the channels between the islands comprising the State of Hawaii are defined or considered to be part of the State, the State of Hawaii will acquire economic regulatory jurisdiction over transportation which originates at any point in the State and terminates at any other point in the State, even if traveling over the channels, with the exceptions just stated.

Such traffic would be considered intrastate traffic. If the carrier traveling between two islands took a route which went outside the waters defined or considered to be part of the State, such transportation would be subject to regulation by the Board.

The State of Hawaii would also acquire jurisdiction over the supplemental air carriers and air taxi operators to the extent that air transportation would become purely intrastate.

The foregoing assumes that a carrier is not carrying the United States mails. Carriers engaging in wholly intrastate transportation must nevertheless obtain Board authorization for the transportation of mail. It also does not take into consideration possible extension of Federal jurisdiction by virtue of the provisions of section 15 of the statehood bill, hereinafter referred to.

Under section 2 of S. 50 it is provided that the State of Hawaii shall consist of—

all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this act * * * with certain named exceptions.

The boundaries are not otherwise described. If the territorial waters, referred to in the bill, do not include all the water between the main islands, the Board would continue to exercise regulatory control over air transportation between the islands, for, as I have already indicated, such transportation would be, and I quote "between places in the same State of the United States through the airspace over any place outside thereof" * * *.

Whether the Board is to continue to exercise regulatory control of transportation between the islands is a question to be decided by the Congress. This question can be resolved either by clarifying or amending the Statehood Act, to specify the status of the waters between the islands either generally or for purposes of transportation jurisdiction or by appropriate amendment to the Federal Aviation Act.

The latter course would have the advantage of permitting the Congress to focus on the particular problem, divorced from the broader considerations pertaining to the admission of Hawaii as a State.

The Board wishes to emphasize that it takes no position with respect to these problems, as it believes the extent of Board jurisdiction in relation to transportation between the islands, is a matter of policy for the Congress to determine.

I would now like to comment on section 15 of S. 50. This section is similar to section 8(d) of the Alaska Statehood Act, approved July 7, 1958 (Public Law 85-508).

Section 8 (d) of the Alaska Statehood Act provides that laws—enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union—

shall be regarded as "Territorial laws" and that such laws shall continue in force and effect throughout the State except as modified or changed by action of the State legislature.

The foregoing language has been interpreted throughout the Federal Government as continuing in effect in the State of Alaska those portions of United States laws which provide for the regulation of intraterritorial commerce by agencies of the United States. In the language of section 8(d), such laws will continue in effect "except * * * as modified or changed by the legislature of the State."

That view as I understand it in relation to the Federal Aviation Act rests in part upon the belief that Congress intended regulation of air transportation to continue as before until the new State had opportunity to legislate on the subject in proper areas of State concern. It further is assumed that the similar language used in the

Hawaii statehood bill is intended to be given a like interpretation in relation to aviation matters.

In this connection, I understand that legislation is presently under consideration which would provide a definite cutoff date beyond which such "Territorial laws" of the United States would cease to apply. In the absence of an explicit date, confusion might arise as to the continued responsibility of a Federal agency.

Under the circumstances, it would appear desirable to specify in S. 50 a definite period from the date of Hawaiian statehood beyond which the "Territorial laws" of the United States would no longer apply.

I would also like to call the committee's attention to the Board's function under the loan guarantee provisions of Public Law 85-307. That law authorizes the Board to guarantee loans for the purchase of aircraft by air carriers certificated for local service operations, and certain other operations, including service in Hawaii and Alaska.

The act refers to operations within the "Territory of Hawaii" and the "Territory of Alaska." While in our opinion the loan guarantee law would remain applicable after Hawaii becomes a State, the committee may nevertheless wish to include a specific provision in the bill continuing the applicability of Public Law 85-307 to carriers operating within the "State of Hawaii."

There is now pending before the Board an application by Aloha Airline for guarantee of a loan of \$2,290,000 under the Loan Guarantee Act, and Hawaiian Airlines has filed with the Board economic data in connection with a forthcoming application for similar loan guaranteee.

The duties and responsibilities of the Board in connection with the investigation of aircraft accidents would not be affected by the proposed legislation.

Mr. Chairman, this concludes my prepared statement. The Bureau of the Budget has advised that it has no objection to the submission of this testimony. If you have any questions I shall be glad to try to answer them.

Senator JACKSON. Mr. Stone, I want to commend you for having analyzed this matter very well. It would seem that the basic question here is whether or not we have by unilateral act declared international waters, or which would otherwise be international waters, as part of a State for purposes of statehood. Am I not correct in this analysis?

Mr. STONE. Yes, sir.

Senator JACKSON. If we have included the entire area that includes all of the islands, then there is a serious question whether the Board would continue to retain jurisdiction despite the all-inclusive provision of section 15?

Mr. STONE. Yes, sir; that is correct. We are not prepared to comment and are not planning to make any comment with respect to that particular problem because we feel that it might more properly be one for the State Department or Defense Department or the Interior Department.

Senator JACKSON. I realize that is true. But the point is that there is a need to clarify this question?

Mr. STONE. Most certainly so, sir.

Senator JACKSON. Lest we find ourselves in no man's land because you do have the unique situation in the case of Hawaii that the islands are separated by what has been at least considered heretofore as international waters beyond the 3-mile limit.

Do you agree, Mr. Stevens?

Mr. STEVENS. Yes, sir.

Senator JACKSON. The question in my mind is whether there is an ambiguity here which might lead some to conclude that we have for purposes of statehood included international waters as a part of a State. If this is true, then, of course, there is a serious question of CAB jurisdiction unless the court would be willing, and I am sure rather reluctant, to say that section 15 would cover it.

I don't know. I assume there have been no court decisions in connection with your retention of jurisdiction in Alaska.

Mr. STONE. I do not believe there have been. I might point out at this point, Mr. Chairman, that the situation is a bit different with respect to Hawaii than the situation in Alaska. While some flying might take place across waters I don't know that it involves the international boundary problem.

Mr. STEVENS. Senator, may I address myself to that question?

Senator JACKSON. For the record would you identify yourself?

Mr. STEVENS. I am Ted Stevens, Assistant to the Secretary of the Interior.

Senator, the assumption we have been operating under since 1953 has been that the position of the Defense Department and the State Department would be adopted. I would like to call your attention to a statement in appendix (a) of House Report No. 88 of the 84th Congress, first session, on page 64.

On that page there is set forth a description in metes and bounds of the boundaries of the State of Hawaii. Included in the description is a definition of Territorial waters which, if I may, I would like to read.

For the purpose of this provision, Territorial waters are defined as all island waters, all waters between the line of mean high tide and the line of ordinary low water and all waters seaward to a line 3 geographical miles distant from the coastline, said coastline being described as the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward line of island waters.

This language was drafted by the Department of the Interior after a conference with the Senate committee staff, the House committee staff, representatives of the Department of State, Navy, Justice, the Coast and Geodetic Survey, the Civil Aeronautics Board, the Maritime Administration, and other people involved.

Senator JACKSON. That was in connection with the tidelands bill, was it not?

Mr. STEVENS. That was at the time the tidelands bill was under discussion. You have settled that now by your reference to the Submerged Land Act. But in our opinion the definition of inland waters still remains the same. That is the reason we bring it up in 1954, both the State Department and the Defense Department wrote to this committee setting forth their reasons for this position. Those letters are found in Senate Report No. 886 of the 83d Congress, second session, on pages 36 and 37, and in the same report there are printed in appendix (g) a series of memoranda prepared by the Department of the Interior on all subjects of jurisdiction:

Surface jurisdiction, wire and communication jurisdiction, air transportation. There is also prepared a memorandum of the application of the commerce clause of the Federal Constitution to interisland transactions in Hawaii set forth the basis for our belief, that assuming that these waters are not included within the State the region of the CAB would remain the same.

The region, incidentally, of the Maritime Board would not include intraisland carriers unless Congress saw fit to extend the jurisdiction of the Maritime Board over that type of commerce.

Senator JACKSON. I take it that the gist of your comment is that the reference to Territorial waters in section 2 of the bill would confine those waters as described in the statement that you read from.

Mr. STEVENS. Assuming there is a proper reference in your report to this agreement and this agreed-upon language, I think we are all operating on the same assumption. We agree entirely with Mr. Stone.

Senator JACKSON. We are in a situation here where we have for the first time a State wherein the Federal Government, if it sees fit, could occupy the field so to speak.

Mr. STEVENS. It is similar in the Catalina Island case?

Senator JACKSON. Yes; that is right, it is similar to the Catalina Island case in that isolated section. But here all of the air commerce as a practical matter would be in an area where the Federal Government could occupy the field without violating the provision of it being entirely within intrastate commerce.

Mr. STEVENS. If these waters are really truly international waters, Congress could at any time occupy any of the fields of commerce.

Senator JACKSON. This is right. I say assuming that perhaps we should define territorial waters in the committee report so that appropriate legislative history is made, or by statutory provision, that the island boundaries are confined to the traditional 3-mile limit as described in the reports that you referred to, then Congress could occupy the field within the State that is made up of the several islands?

Mr. STEVENS. Yes; I would say if you define it that way Congress has occupied the CAB field.

Senator JACKSON. That is right. We are merely extending the existing law or clarifying it to make sure that it did.

Mr. STEVENS. That is right.

Senator JACKSON. This is a technical problem that we can go into tomorrow morning if Mr. Stone and Mr. Stevens will be available in connection with the markup of the bill.

Mr. STEVENS. Yes, sir.

Senator JACKSON. I assume you gentlemen agree there is a need for clarification here because of the unique nature of this new State from a geographical point of view.

Mr. STONE. Most certainly.

Senator JACKSON. At least we can make your job a little easier in avoiding some unnecessary lawsuits in light of the information that has been brought out here.

Senator CHURCH. I would wonder whether it might be fruitful for these gentlemen to inquire between now and tomorrow morning as to whether there does not exist somewhere on the statute books an exact definition of the present boundaries of the Territory of Hawaii which would suffice to clear this question inasmuch as the bill in

section 2 says that the State of Hawaii shall consist of all the islands together with their appurtenant reefs and Territorial waters included in the Territory of Hawaii on the date of the enactment of this act.

Perhaps there is no such clear and concise definition of the present boundaries of the Territory. If not, I would like to know that. I make this suggestion inasmuch as it might prove one route of solution for us.

Mr. STEVENS. The definition of the islands or the understanding of the islands that are included in the Territory of Hawaii I think is agreed upon. Whether there exists any definition in terms of meets and boundaries or in terms of a geographical description by longitude and latitude on the statute books, I am not aware of it. We went into this problem at length right after I joined the Department of Interior in 1956, and we all fell back to the meets and boundaries description that was agreed upon in 1953.

So far as I know that is the only complete description.

Senator CHURCH. That is the best description of the actual boundaries of the Territory that we have.

Mr. STEVENS. That is my understanding; yes.

Senator JACKSON. Senator Church, we went into this at length in the 83d Congress, and we had a rather long and detailed description. The net result of it was that we decided that we should continue to refer to the previous statutory references and for the purpose of preserving whatever decisional laws that might be on the subject consistent with the descriptive language used in the past.

That is what has been done, excepting and excluding in this case, Palmyra, which is technically today a part of the city limits of the city of Honolulu. That we excluded in deference to my friend from California who felt that Los Angeles might be discriminated against. That would have been the longest city limits in the world of any incorporated city, extending 1,500 miles to Palmyra.

Mr. STEVENS. Both the House and the Senate have passed a Hawaii bill following this agreed upon description, and it is our opinion in the Department that this reference in your report would just refer us back to the same meets and bounds description, and I believe it would provide the determination of the extent of the Territorial waters for the CAB purposes.

Senator JACKSON. Would you check with the Defense and State Departments by tomorrow on this question of definitive language that we might want to use in order that we may clarify the jurisdictional problem, if any, of the Civil Aeronautics Board.

We have no problem as far as the Federal maritime agency is concerned because I think that is pretty well covered. There may be some international problems involved in this, and if you could check with them as to the type of language—statutory language or a statement in the report—that we should include in connection with the retention by the Board of jurisdiction until such time as the State has had an opportunity to act, I think the committee will have to decide as a policy matter whether the Board should continue jurisdiction after it becomes a State, that is, occupy the field either directly or indirectly by whatever language we may use, or whether the region

within the Territory or within the new State should be left to the State legislature.

Would the Board be in a position to comment by tomorrow whether they would want to retain jurisdiction or whether or not they would want to merely retain jurisdiction by clarification pending a decision by the new State to occupy the field.

In other words, to make it permissive. We could pass language here that would make it clear that the Federal Government continues to occupy the field subject to a decision by the State.

Mr. STONE. Mr. Chairman, we have in effect taken that position with respect to Alaska. I am certain that the Board will take the same position now, that it retain economic and regulatory jurisdiction until the legislature of the State of Hawaii acts in the field.

I think it is a practical, commonsense view because the situation would be rather chaotic there until the legislature acted unless we took that interpretation.

Senator JACKSON. For example, on guaranteed loans, if you make a guaranteed loan and if there is no regulation of any other carrier they could come in and compete with one that you guaranteed and you would not be able to control it at all.

Wouldn't that be right?

Mr. STONE. Not under our present interpretation.

Senator JACKSON. I say if you did not have control either by the Federal Government or by the State, what would there be to prevent someone from coming in and setting up a wildcat operation?

Mr. STONE. There would be nothing. Of course, that could be done at a later date in the event Hawaii became a State, in purely intrastate operations. Carriers could come in and be certificated by the State of Hawaii depending on the authority that might be set up by the Hawaii Legislature.

Senator JACKSON. But your guaranteed loan provisions, as a practical matter, apply to airlines that are engaged in interstate commerce so that you do have jurisdiction. Alaska and Hawaii are kind of exceptions to that as a practical matter, are they not?

Mr. STONE. Yes, sir.

Senator JACKSON. Feeder lines outside of Alaska and Hawaii operate in more than one State?

Mr. STONE. Yes, sir.

Senator JACKSON. So you do have a little different practical situation that could arise here. That is what I am getting. I mean a feeder line would not be operating between Hawaii and the mainland?

Mr. STONE. No. But you do have your air taxi operators within the same island in the Hawaiian Islands.

Senator JACKSON. Do you have jurisdiction over them now?

Mr. STONE. We have jurisdiction over them. We are operating under exemption authority of the Board at the present time.

Senator JACKSON. But will you continue to retain control?

Mr. STONE. Yes. We can do that until such time, under our interpretation consistent with the Alaska Statehood Act, can control and intend to control those operations. After Hawaii becomes a State under purely intrastate operations we would not have any control. That is, operation coming within the definition of intrastate operations.

Senator JACKSON. Will you refresh me on my constitutional law now. If we exempted Hawaii from CAB control but still treated the waters as international between the islands—the State could not pass any legislation!

Mr. STONE. That is correct, sir.

Senator JACKSON. That is my recollection. The State cannot attempt to regulate interstate commerce. They can within their own area handle such matters as the sale of liquor on vehicles moving, but they could not occupy the field completely; could they?

Mr. STONE. That is right.

Mr. STEVENS. I don't want to get into a debate over that, but I think that in the absence of conflicting legislation if the Federal Government declined to regulate as to strictly interisland commerce, commerce which was not going from one State to another but from one point in Hawaii to another point in Hawaii, Hawaii could regulate it.

Senator JACKSON. But what if it passed through international waters?

Mr. STEVENS. Even if it could pass through international waters.

Mr. STONE. I don't see how it could do that without amending the Federal Aviation Act.

Mr. STEVENS. This is not talking to his specific act. The Federal Aviation Act is not a condition but a theory.

Senator JACKSON. My hypothetical situation is—suppose that by amendment this bill took away the present authority of the CAB to regulate in Hawaii—they have that authority now—and section 15 did not apply, my point is that it would not be legally possible for the new State legislature to regulate air commerce between the islands where international airspace or international waters were involved; isn't that right?

Mr. STONE. That is correct. Under the definition of interstate air transportation under the Federal Aviation Act of 1958 we say—

Interstate transportation, air transportation is defined in relevant part and part (b) between places in the same State through the airspace over any place outside thereof or between places in the same territory of United States.

Senator JACKSON. In any event, we lawyers, I think, love to get into the legal gymnastics of these things and they can be rather interesting and intriguing because this is certainly a new adventure as far as applying Federal law to a State is concerned.

I would appreciate it very much if you could be available tomorrow at 10 o'clock and we will try to see if we can save the agencies some further legal headaches in the future by clarifying to the extent that it is possible to clarify what we have discussed here.

Are there any further questions? If not, Mr. Stone, we appreciate very much your statement.

Mr. STONE. Thank you, sir.

Senator JACKSON. If it is agreeable I would like to hear from Senator Heen now and then recess.

We are very pleased to have as our next witness Senator William Heen, who has served in the Hawaiian house and the senate, mostly in the senate, for 32 years. He declined to run this last time. He is here representing the Hawaiian Statehood Commission as the vice-chairman of that body.

You may be seated.

**STATEMENT OF HON. WILLIAM H. HEEN, TERRITORIAL SENATOR
AND VICE CHAIRMAN OF THE HAWAIIAN STATEHOOD COMMISSION**

Mr. HEEN. Mr. Chairman and members of the committee, my name is William H. Heen. I am the vice chairman of the Hawaiian Statehood Commission. I appreciate very much the courtesy and the recognition which you, Mr. Chairman, have just accorded me. The members of the Hawaiian Statehood Commission, feeling that someone on its behalf should be here to observe what is going on in connection with the Senate's statehood measure, delegated me to come here for that purpose.

They felt that failure to do so might be regarded as lack of further interest on their part. On the contrary they and the people of Hawaii are deeply and intensely interested in the proceedings which are taking place during what appears to be the final stages of the campaign for statehood.

These are stirring and exciting times for all of us. As the granting of statehood seems to be so imminent. For this we are deeply grateful to all of those who have been responsible for the rapid progress which has been and is now being made toward granting statehood to Hawaii during the present session of the Congress. To them on behalf of my people I wish to pay tribute.

At last our quest for statehood appears to be approaching a happy and dramatic ending. As our 50th star stands poised and ready to burst out brilliantly over the horizon and into orbit in outer space, to cast its rays of freedom and democracy over the entire world.

Mr. Chairman, I have nothing new to present to this committee. Our qualification is to enjoy the privileges of full-fledged American citizenship and to assume and discharge the responsibilities of statehood have been conclusively established by the evidence which appears in the voluminous records before you.

I love my native land of Hawaii. I want to see it become a sovereign State, to be placed on an equal footing with all the other sovereign States of the Nation. Nothing more and nothing less. We have been a subservient segment of this Nation, long enough, much too long, and we don't want to remain that way indefinitely.

So I say to you, Mr. Chairman and members of the committee, give us statehood now so that we, with all due reverence and with a heart full of love and deep understanding toward all, may join with the American citizens of all the other 49 States of the Union in singing for all the peoples of the world, particularly those of the Far East to hear, God Bless America.

Senator JACKSON. Thank you, Senator Heen, for that very fine statement.

Delegate Burns, do you have any questions?

Mr. BURNS. No, sir; I have no questions.

Senator JACKSON. Thank you, Senator.

We have two remaining witnesses and in view of the fact that the Chair announced that we would convene at 2 I feel we should recess at this time.

Mrs. Worrell, you will be the first witness at 2 o'clock this afternoon, to be followed by Mr. Masaoka, representative of the Japanese American Citizens League.

We will stand in recess until 2.

(Whereupon, at 12:15 p.m., Wednesday, February 25, 1958, the subcommittee recessed to reconvene at 2 p.m., the same day.)

AFTERNOON SESSION

Senator JACKSON. The committee will come to order.

The next witness is Mrs. Margaret Hopkins Worrell, past president of the Ladies of the Grand Army of the Republic.

Mrs. Worrell, you may be seated.

Do you have a prepared statement?

STATEMENT OF MRS. MARGARET HOPKINS WORRELL, PRESIDENT-GENERAL OF THE WHEEL OF PROGRESS

Mrs. WORRELL. Yes, I have a short prepared statement.

Senator JACKSON. You may proceed.

Mrs. WORRELL. Mr. President, I will stand, if you do not mind my standing.

Senator JACKSON. It is not necessary for you to stand, but you may proceed in your own way.

Mrs. WORRELL. My name is Mrs. Margaret Hopkins Worrell, and my residence, apartment 515, East Clifton Terrace, Washington, D.C. I am president-general of the Wheel of Progress, which I am representing. I am also past national president of the Ladies of the Grand Army of the Republic, 1950, and past vice president of the Women's Patriotic Conference on National Defense.

Mr. Chairman and members of this committee, I am pleased to appear as an opponent of statehood for Hawaii.

After the queen was deposed in 1893, and Mr. Sanford Dole became ruler, a provisional government was formed which resolved itself into a Republic; and on July 7, 1898, Congress passed a resolution annexing Hawaii to the United States. On August 12, 1898, Hawaii was formally annexed to the United States as a Territory. All whites, natives of Hawaii, and persons of African descent, who were citizens of Hawaii before the annexation, are citizens of the United States. That such distinction was made, the question arises in my mind—are all citizens of Hawaii citizens of the United States? Or is there some security on immigration?

I think I can safely say that the majority of our people do not know that the population—Polynesian, largely Japanese, Chinese, Asiatics, mixed bloods, miscellaneous nonwhites (Negro, Puerto Rican), about 75 percent unassimilable in our country, with 25 percent Caucasian, which may include our military, their families and U.S. Government employees. It is a well known fact that there are a large number of Communists in Hawaii. On May 10, 1955, Hon. John R. Pillion, of New York, in an address stated:

There have been startling disclosures of communistic controls in Hawaii since the statehood bill was last considered. Although the Communists began their activities in 1937, the full force of their power did not become apparent until recent events. In Hawaii, considerable power is centered in, and its influence emanates from two unions, the International Longshoremen's (ILWU), Warehousemen's, and the United Public Workers Union (UPW).

Again on May 5, 1958, Congressman Pillio:, stated:

(Congressional Record) The extensive communistic influence in Hawaii continues to present an alarming condition for both Hawaii and the United States. A careful study of this does not give you hope that Communist power is on the wane. Communism remains a potent force permeating the economic, political, and social structures of the Territory. The unions in Hawaii are controlled or infiltrated by Communists and have a membership of more than 30,000. The names of Communists and persons closely associated with the party, who occupy positions of power in the unions local unions, and top organizations (ILWU) are contained in the hearings of the Un-American Activities Committee.

The three volumes contain a startling revelation of the infiltration of communism in the rank of unionized labor and in the political parties. These volumes are proof that the Communist Party controls ILWU lock, stock, and barrel, definitely against the United States and could easily result in a tie-up by Harry Bridges' ILWU Longshoremen that would be disastrous to our country.

I take issue with the statement of some proponents that there is no danger of communism in Hawaii.

No argument was raised against statehood for Alaska. She was on our own soil, only 37 miles across Bering Strait from Siberia, but one of the outstanding arguments against statehood for Hawaii is that she is 3,000 miles across the Pacific from our 49 States. Let us offer her independence, or better still give her a commonwealth government. We have two precedents for that, the Philippines and Puerto Rico. The same which we have offered to the Philippines and Puerto Rico, maybe she will accept. We are absolutely opposed to statehood for Hawaii and urge our representatives to deny statehood to Hawaii, an island in the Pacific thousands of miles from the United States.

Thank you.

Senator JACKSON. Thank you, Mrs. Worrell.

Maybe you would like to be seated.

Mrs. WORRELL. I will leave this little cartoon with you.

Senator JACKSON. We cannot put it in the record, because we do not put pictures in the record, but if you have any statement that you wish to put in the record, you may do that.

Mrs. WORRELL. I am hard of hearing and do not hear what you are saying, but I hope it is complimentary.

Senator JACKSON. Thank you very much for your statement. If you have any additional information that you wish to place in the record, you may do so.

Mrs. WORRELL. Thank you. I was hoping that I would have a chance to speak over in the House tomorrow. But I understand that no persons except Senators are permitted to speak tomorrow.

Senator JACKSON. No, I think what you have in mind is that the hearings have been held by the House Committee on Interior and Insular Affairs. The hearing tomorrow is a procedural one before the Rules Committee of the House of Representatives, and it is customary that that type of hearing be confined to Members of the House. I assume they do allow Senators on occasion.

Mrs. WORRELL. Well, Mr. Chairman, at the time that they had the hearing in the House, we were very busy with two different conventions here in Washington. There was a Women's Patriotic Conference on National Defense, and the Department of the Potomac Ladies

of the Grand Army convention. And nobody knew anything about that hearing. It was in the papers, but we did not read the papers. We were too busy.

Senator JACKSON. I want you to understand that you are to be given every right to be heard, and if you have any additional information you wish to submit, you may do so by having it placed in the hands of the committee by tomorrow, because we are going into executive session tomorrow.

Is that satisfactory?

Mrs. WORRELL. Yes, I think I caught that. I am to put it in tomorrow.

Senator JACKSON. Now, one question. Can you explain to me what is the nature of the organization called "Wheel of Progress"?

Mrs. WORRELL. The Wheel of Progress?

Senator JACKSON. The Wheel of Progress.

Mrs. WORRELL. It was organized in 1924.

Senator JACKSON. Whom do you represent?

Mrs. WORRELL. I am the president-general.

Senator JACKSON. Who belongs to the Wheel of Progress, and what are its objectives?

Mr. WORRELL. I am also the past national president of the Ladies Grand Army of the Republic, 1950.

Senator JACKSON. Yes; but could you just explain the purpose of the Wheel of Progress?

Mrs. WORRELL. No, but I will.

Senator JACKSON. Very briefly.

Mrs. WORRELL. I will tell you that the Wheel of Progress is to defend the Constitution and get the people out to use their franchise.

Senator JACKSON. And how many members do you have?

Mrs. WORRELL. I do not have the number of members, but we have small locals throughout the United States, just small locals all around. I do not know the exact membership. I do not keep it at all. I leave that to the secretary.

Senator JACKSON. Are you here representing the Ladies of the Grand Army of the Republic?

Mrs. WORRELL. Well, I am representing them so far as I am the past president. But we will not have another convention until next August in California. We will have our convention in California next year.

Senator JACKSON. Have they taken a stand against statehood for Hawaii?

Mrs. WORRELL. I think that they will all be—

Senator JACKSON. No, no. That is not the question. Have they in the past, up to now, taken a stand against statehood for Hawaii?

Mrs. WORRELL. Our department has taken that stand, yes.

Senator JACKSON. And when was that taken?

Mrs. WORRELL. That was taken I guess the 7th or 6th of February. We had a convention here, you know.

Senator JACKSON. Yes. This year?

Mrs. WORRELL. And we took that stand. I am sure they would have all taken it if they would have had a convention.

Senator JACKSON. Thank you very much. That is all.

Senator JACKSON. The next witness is Mr. Mike M. Masaoka, the Washington representative of the Japanese-American Citizens League.

STATEMENT OF MIKE M. MASAOKA, WASHINGTON REPRESENTATIVE, JAPANESE-AMERICAN CITIZENS LEAGUE

Mr. MASAOKA. Mr. Chairman and members of the committee, there is not much we can say at this time in the way of new material, but I do think as a person of Japanese ancestry it was most impressive to me this morning to hear you, the chairman, and the members of your subcommittee, speak of the great international implications of statehood for Hawaii, because it seems that you agree with us that the cosmopolitan population of Hawaii is an argument for and not against statehood. I shall, of course, develop this point a little bit more.

But in reference to the statements of the last witness, I would simply like, since it follows pretty much my own statement, to have my statement incorporated into the record and be permitted to summarize it in terms of the last witness' statement.

Senator JACKSON. You may do so.

(The statement of Mike M. Masaoka is as follows:)

STATEMENT OF MIKE M. MASAOKA, WASHINGTON REPRESENTATIVE, JAPANESE-AMERICAN CITIZENS LEAGUE

Mr. Chairman, my name is Mike M. Masaoka, Washington representative of the Japanese-American Citizens League, the only national organization of Americans of Japanese ancestry in this country.

On behalf of our 85 chapters and more than 18,000 American citizen members in 30 States and the District of Columbia, I am authorized and directed to urge immediate statehood for the long deserving Territory of Hawaii.

Ever since the end of World War II, every biennial National JACL Convention unanimously has resolved to urge statehood for Hawaii as being in the national and international interest of our Nation, as well as a measure of justice to the residents of this Pacific Territory. In our opinion, every passing biennium has increased the urgency of statehood. And, since Alaska was admitted into the Federal Union as a State in the last session of Congress, in the words of the President, any further delay would be "unconscionable".

It is significant that a month ago the House Interior and Insular Affairs Committee began its hearings on this legislation and that it has already reported favorably the bill which is currently before the Rules Committee for clearance. With this subcommittee beginning its hearings this early in the session, we are hopeful that in the immediate future Congress will extend to Hawaii, too, that equal status which will enable it to be the 50th star in our Federal Constellation this Fourth of July.

We are aware that to most members of this committee and the Congress the background facts and the arguments both for and against statehood for Hawaii are an old and oft-repeated story, since the House and Senate Committees on Interior and Insular Affairs have held 22 hearings on this subject since 1935, hearing more than 850 witnesses both in Washington and in the Territory who have filled more than 6,000 pages of printed testimony. None of the 49 States have been subjected to such intensive investigation and study as has been Hawaii.

Alaska, with its scattered, scant population, with its vast landmass, its undeveloped economy, its proximity to a potential enemy, its distance over foreign land from the Nation's Capital, was admitted—and rightfully so—as our 49th State last year.

In that historic action, the Congress answered all the legitimate questions regarding Hawaii's qualifications in the affirmative, for these Pacific Islands by every standard previously used are as qualified—if not more so—than was our northern Territory last session.

But, there are two major charges advanced—often surreptitiously at least as to one—which supposedly disqualify Hawaii for statehood: her cosmopolitan population and her alleged Communist problem.

That such prejudicial appeals as these are used are indicative to us, of the complete lack of any real grounds for denying any longer statehood to Hawaii.

Because of our membership and our long experience with race discrimination

against Oriental-Americans, we believe that we owe a duty to the Congress to evaluate, frankly, honestly, and openly, both of these arguments in the light of what we consider to be the facts of the situation.

First, as to Hawaii's preponderantly non-European population, we submit that this is one of the most potent arguments for--and contrary to those who insinuate otherwise, not against--statehood.

The harsh realities of this troubled, tension-filled world are such that the destiny of free men and of free nations, including our own, may well be determined by the two-thirds of the world's population that inhabit the so-called Pacific Basin.

Both the Soviet Union and Red China are cognizant that the balance of power lies in this vast area, and they are systematically attempting to win the minds and the hearts of men with their economic, military, and psychological weapons.

In the Orient there is a saying that "One picture is worth a thousand words".

The Communists have much to say, and more to promise, to the restless peoples of the Far East who, stirred by the spirit of nationalism, are yearning to break the bonds of colonialism and to gain acceptance and dignity among the nations of the earth.

Thus far, we have demonstrated our good faith and our belief in the self-determination of peoples. We granted independence to the Philippines as we promised. We helped reconstruct and rehabilitate defeated Japan along democratic principles and then restored her sovereignty. We made the major contribution to the defense and the existence of Free Korea. We are responsible that a Free China continues to survive. We have bolstered the fighting forces and the economies of Southeast Asia with our foreign aid.

While on one hand we have demonstrated our good will toward those of Asian ancestry, on the other we have continued to deny equality of status and have discriminated against an integral part of our Nation, an Incorporated Territory for more than 60 years, whose voters overwhelmingly time and time again expressed their determination to be full-fledged, participating citizens of the United States.

To the millions of dark-skinned people who predominate on earth, regardless of our explanations, the only reason they understand to deny statehood to Hawaii is because there are so many persons of Asian and Polynesian ancestry resident there. This apparent discrimination is emphasized by Alaska's admittance last year into the sisterhood of States, leaving Hawaii as the only remaining Incorporated Territory in our country.

The grant of statehood to Hawaii, with its many persons of Japanese, Polynesian, Chinese, Korean, Filipino, and other ancestries at this time would, in our opinion, be a positive, constructive step in our efforts to prove that our practices live up to our professions.

To our mind, more than any other single act that might be undertaken by this Congress and Government, statehood for Hawaii would be the picture of democracy in action that will offset the thousands of words poured out by the Communist hatemongers against us.

Hawaii, already a meeting place for the East and the West, by its very location as the crossroads of the Pacific, could, and should, be our living showcase of democracy.

Indeed, at the present time, thousands of students annually from all of Free Asia are invited by our Government to come to Hawaii to study not only our way of life but also our methods of production.

One can easily imagine what some of these students must think when they learn that, though Hawaiians pay taxes and fulfill all other obligations of citizenship, they, like so many of their revolutionary fathers on the mainland more than 188 years ago, cannot vote for their own representatives, or executives, or judges. Once Hawaii becomes a State, however, these students would better appreciate the meaning of democracy and would be better able to witness it in action. Then, on their return to their respective homelands, they could better preach the gospel of freedom and equality.

If Hawaii is admitted to statehood, the peoples of Asia particularly would know that persons of their own ancestry are able to participate fully and successfully in the democratic system. Such visible knowledge would give them assurance that this way of life is practical and appropriate for them too.

Moreover, it will give to the United States and to the free world a new citizenry which, by its very background, culture, and feeling, is best qualified to explain our ideals and our objectives to the peoples of Asia and to interpret

for us the hopes and aspirations of most of the world's population. Indeed, considering that we are least informed about these peoples, Hawaiian-Americans who trace their ancestries to the new nations of Asia could render our country an invaluable service in establishing mutual understanding and comity.

The strategic importance of Hawaii to our national security cannot be overestimated.

In World War II, it was the first American territory to be attacked. And, from this great staging area, we moved on to the ultimate victory that was ours. Today, Soviet and Red Chinese propagandists point to the racist arguments used against statehood as living proof of American attitudes toward those of Asian ancestry. Statehood would make Hawaii the great staging area for the grand offensive that may put the lie to Communist propaganda in the Far East.

Perhaps it is not enough to stress that Hawaii's mixed population is a primary reason for, not against, statehood.

Perhaps the record needs testimony against the old slanders that have been resurrected against those of Asian ancestry, particularly Japanese Americans, impugning their loyalty and questioning their assimilability into the democratic social order in spite of the clear and eloquent record.

Though the dramatic story of the loyalty of persons of Japanese ancestry in Hawaii during and after World War II is comparatively well known to most interested Americans, their earlier contributions are no less important and significant.

The early Japanese immigrants worked on the plantations and helped develop the economy of the Territory. They fished off the shores and pioneered in the presently lucrative commercial fishing of that area. They helped develop trade with the Orient, and Hawaii became known as the gateway to the Far East.

In agriculture, in commerce and trade, in fishing, in horticulture, and in every aspect of human endeavor in Hawaii, they left their mark as enterprising, thrifty people whose first great love was the islands to which they had migrated in search of opportunities and liberties they could not find in their homeland of Japan.

They early began to participate in community activities and learned to appreciate the democratic way of life. They sent their children to the public schools, and they demonstrated their real Americanism in the loyalty and allegiance they inculcated in their children, a loyalty and allegiance which proved itself in World War II.

In World War II, American citizens of Japanese ancestry—Nisei—in Hawaii, formed the all-Nisei 100th Infantry Battalion.

Later, the 100th was integrated into the 442d Regimental Combat Team, an all-Nisei outfit composed of volunteers from Hawaii and the mainland of the United States.

In connection with this volunteer combat team, the Army called for only 1,500 volunteers from Hawaii. In less than 3 days, more than 10,000 responded; in a week, more than 15,000 had volunteered. The Army decided to accept 2,500.

Between them the 442d and the 100th made history without parallel in American military annals. According to the record, they were awarded more medals and combat decorations for their size and length of service in the line than any other U.S. Infantry unit in the last or any previous war.

Fighting in Italy and France, the 100th and 442d became famed as the "Purple Heart Regiment." They were in 7 major campaigns, suffering 9,486 casualties, or 314 percent of their original strength.

The unit received 18,143 individual decorations and medals and 7 Presidential distinguished unit citations.

In the Pacific, in the war against the land of their ancestry, thousands of Nisei-Americans served with equal distinction. For security reasons, little publicity has been given to the activities of these Japanese-Americans against the Japanese enemy.

Today, however, it is known that Gen. Charles A. Willoughby, chief of staff for intelligence under Gen. Douglas MacArthur, credited the Nisei in the Pacific, who served mainly as combat intelligence troops, with shortening by many months the war against Japan. To them, General Willoughby attributed the savings of untold thousands of casualties and billions of dollars.

In the occupation of Japan, additional thousands of Nisei were called upon to serve as the eyes and ears of the occupation in the role of interpreters and translators and administrators.

While this occupation duty did not have the color or the drama of active combat service, the work of the Japanese-Americans contributed in great measure to the unprecedented success of the American occupation in Japan and to the promotion of democratic principles and general good will toward the United States.

On the homefront, resident alien Japanese—Issei—although technically enemy aliens during World War II, helped to build airfields and other military installations, much of it voluntarily and without pay.

These alien Japanese in Hawaii contributed generously to the blood banks, and actively participated and supported the USO program. Per capita, it has been said that these resident alien Japanese purchased more war bonds than any other comparable group in the United States.

In addition, many alien Japanese who were young enough to qualify volunteered for service in the United States Army. At the time these men volunteered, under the old Nationality Act of 1940 and previous statutes, they were ineligible for naturalization.

The Congress amended the naturalization privileges extended to most other aliens who served in our Armed Forces to include alien Japanese, and many became citizens under this special legislation.

Other alien Japanese who were bilingual were used in the Army and Navy language schools to teach soldiers, sailors, marines, and airmen the Japanese language. Still others served with the Office of Strategic Services in enemy intelligence, counterespionage, drawing maps by which Japan was bombed, and in translating and interpreting captured enemy documents.

It should be remembered that in connection with these contributions to the military victory that these alien Japanese were, because they were barred by our naturalization laws from acquiring citizenship, actually traitors to the country of their own nationality.

Had Japan won the war, it is not difficult to imagine what their lot would have been.

In any assessment of their allegiance, this fact should be kept in mind: The alien Japanese demonstrated their greater love for their adopted land as against the land of their nativity and nationality.

Prior to World War II, racist myths were current, ascribing to all persons of Japanese ancestry, citizens and aliens alike, an unwavering loyalty to the Emperor of Japan. Immediately after the Japanese attack on Pearl Harbor, wild and distorted rumors asserting that the Japanese in Hawaii engaged in sabotage and espionage were circulated.

The fact of the matter is that according to the Federal Bureau of Investigation and the Army and Navy Intelligence not a single case of espionage and sabotage was committed by a resident alien or citizen of Japanese origin before, during, and after the attack on Pearl Harbor. Indeed, the first Japanese enemy captured was by a Japanese-American.

Although purchased at a high cost in lives and personal resources, the magnificent wartime record of the Nisei and Issei in Hawaii and the United States conclusively demonstrated that—

Americanism is a matter of the mind and the heart;

Americanism is not, and never was, a matter of race or ancestry.

More recently, on the battlefields of Korea, the men of Hawaii were again fighting and dying with their fellow Americans from the continental United States. As in World War II, Americans of Japanese ancestry carried their share of the load, for the records reveal that based upon population more than three times as many Japanese-Americans were wounded and killed in Korea than the national average.

In this record of devotion and sacrifice lies the answer to those who question the loyalty of the so-called Japanese population in Hawaii. They have purchased with their blood the right to be accepted as Americans individually and to have statehood extended to the Territory that gave them birth and imbued in them that spirit of liberty and freedom that inspired their wartime gallantry.

If to assimilate American ideals and traditions is to understand the meaning of democracy and to have such faith as to be willing to go out and die for our country in spite of prejudice, discrimination, mistreatment, and persecution such as Japanese-Americans were subject to after the attack on Pearl Harbor, then Americans of Japanese ancestry in Hawaii have been completely assimilated into our way of life.

If assimilation means obedience to law, education in American schools and institutions, contributions to civic drives, participation in local and community activities, enjoying sports, etc., then too Hawaiian Americans of Asian ancestry are assimilated.

Because the Japanese comprise a third of the population in Hawaii, some fears have been expressed that Japanese-Americans will vote as a bloc, once Hawaii becomes a State, and thus control the political destiny of the islands.

A quick look at nisei participation in Hawaiian politics will dispel this fear and myth of bloc voting.

In Hawaii, as on the mainland, Japanese Americans are active in both political parties. In Hawaii they enjoy positions of influence in both parties: they have been elected and appointed to local and Territorial offices.

In the last election, and prior thereto, it was not uncommon to find Japanese-Americans vying with each other as representatives of the Republican and Democratic Parties for the same post, or to find a Japanese-American representing a predominantly non-Japanese district, or to find a non-Japanese representing an overwhelmingly Japanese area.

Among the Hawaiian Japanese-Americans, as with any other group in the United States, party politics and voting are based upon the same factors of daily living and economic interests which motivate any other people to vote for the candidates of one party in preference to another.

Another expressed fear is Hawaii's alien population, most of whom until recently were Japanese.

Until the enactment of the Immigration and Nationality Act in 1952, Asian aliens with the exception of Chinese, 1943, Filipinos and East Indians, 1946, were ineligible by Federal law to become naturalized citizens of the United States.

This accounts for the fact that until December 24, 1952—the effective date of the Immigration and Nationality Act—there were so many aliens of Asian extraction in the Territory, for they represented the immigrant, pioneer group from the Far East.

Since enactment of the Immigration and Nationality Act, Japanese aliens, along with other Asian nationals, swamped the Immigration and Naturalization Service and district court facilities in such numbers as to establish a precedent for the naturalization of any racial group in such a record time.

An estimated more than 10,000 alien Japanese in Hawaii have become naturalized citizens since this privilege was extended to them just 7 years ago.

At this rate of naturalization, and since the average age of the alien Japanese is now close to 70, within another 5 years there will remain few, if any, aliens of Japanese nationality.

These new citizens have not voted as a bloc, for even as aliens they expressed their preference for either of the major political parties on other than racial grounds to guide their citizen children.

Furthermore, because they were so long denied the franchise even in Territorial elections, they are probably more aware of the issues and the candidates than those who have been able to vote automatically by the accident of birth in Hawaii or in the United States proper.

Speaking of politics, it should be noted that perhaps more than in any other section of our Nation many young veterans of World War II and Korea are taking an active interest in politics. Both the Republicans and Democrats are benefiting from this new blood, the Democrats probably more than the GOP if the more recent Territorial legislature and delegate elections are taken into account.

In 1950, Japanese-American delegates attended both the Democratic and Republican National Nominating Conventions in Chicago and San Francisco, respectively. Both party platform committees had Japanese-Americans from Hawaii serving to help write party policies and principles.

The present Democratic national committeeman from Hawaii is a Japanese-American dentist.

While statehood is not, and should not be, a partisan issue in the Territory, there is no doubt that the actions of their party representatives here in the National Congress may well determine the future of both the Democratic and Republican Parties in Hawaii for many years to come.

Accordingly, the words and, what is more, the actions of every Democrat and Republican in both the Senate and the House will be carefully examined in the light of the parliamentary maneuvers and the vote on the most important of all issues to the electorate of the present Pacific Territory.

The overwhelming sentiment among Japanese-Americans, as among the entire population, is for statehood. Before the war, the margin of Hawaiians favoring statehood was more than 3 to 1. Among the nisei, the proportions were even more lopsided. And it is greater today.

The desire for equal status is the understandable spirit which motivates those who urge statehood.

When the Congress enacted the Immigration and Nationality Act of 1952, in effect it lifted the legislative mark of inferiority from the Japanese people by admitting them to citizenship through naturalization, and extending to Japan, their ancestral homeland, immigration quotas.

That act was hailed in Hawaii as an indication of the acceptance of the Japanese as individuals by their own Government.

In the last 4 years two Japanese-American attorneys were nominated and confirmed for the Federal judiciary: Ben Tashiro as judge of a district court, and Masaji Marumoto as an associate justice of the Territorial supreme court.

This means that in the judgment of the Executive who nominated them, and of the Judiciary Committee and the Senate that confirmed their appointments, Japanese-Americans are qualified as individuals for even the most important responsibilities of citizenship in a growing democracy.

Statehood is the remaining step in that progress for equality of status. Statehood will mean, not only for those of Japanese origin, but also for every American in Hawaii, acceptance as equal partners in the United States to which they have contributed so much and asked so little.

In 1950 the citizens of Hawaii held a constitutional convention and drafted a State constitution that could well serve as a model document for many States and governments. This action on their part shows their clear willingness to assume the responsibilities of being an active and integral part of the Union.

At the moment, they feel like the stepchild who is almost a member of the family. Their citizens feel their second-class status keenly, for they appreciate the fact that though their taxation without representation may not be tyranny, in the revolutionary sense of 1776, it does represent, nevertheless, a lack of appreciation for their capabilities and desires on the part of their Government which at times seems far more removed than by distance alone and which sometimes seems to be more solicitous and responsive to the requests of foreign nations.

Aside from the charges that the population of Hawaii is too predominantly Asian in ancestry, and not European, the second major appeal against statehood is the alleged Communist menace.

In addition to the reports of the Federal Bureau of Investigation, the Armed Forces security agencies, and the House Un-American Activities Committee as to the extent and the influence of Communists and fellow travelers, there is the most impressive record of the Territorial legislature and the people to refute any claims of Communist domination.

If the Communists and their henchmen were so powerful, how does one account for section 3, article XIV, of the Constitution which was promulgated for the 50th State 9 years ago (1950) which specifically relates to this subject in these words: "No person who advocates, or who aids or belongs to any party, organization or association which advocates, the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office or employment"? To the best of our knowledge and information, there is no constitution of any State in the Union which provides automatic disqualification for public office and employment of Communists and fellow travelers such as that written into the constitution of the new State of Hawaii.

Implicit in the insinuations regarding communism is that members of the International Longshoremen's and Warehousemen's Union, which is supposedly controlled by Communists and fellow travelers, are under Communist domination. Since many Japanese-Americans and other Americans of Asian ancestry are also members of this union, there is the presumption that those of Oriental background have an affinity for communism.

The Korean war offers irrefutable and dramatic proof to the contrary.

Senate Report No. 1164, of the 1st session of the 85th Congress, ordered to be printed August 20, 1957, "Providing for the admission of the State of Hawaii into the Union," summarizes this record in the following sentences:

"Not one case of cowardice by a Hawaii soldier in the face of the Communist enemy was recorded in Korea.

"Not one case of successful Red 'brainwashing' of any Hawaii soldier was recorded.

"Not one case of a Hawaii soldier's desertion to the enemy was recorded.

"Of the 22 American servicemen who refused repatriation after the Korean war in favor of remaining with the Communists * * * there was not 1 from Hawaii.

"There were 426 Hawaii boys killed in Korea action, a death toll 4½ times the killed-in-action average for the rest of the United States. There were 1,352 total battle casualties from Hawaii, a rate of 3 times as great as the casualty rate per capita for the rest of the Nation."

There is evidence that among these Korean war troops were many American soldiers of Asian, including Japanese, ancestry who were also members of the IWWU. That none defected to the enemy under the difficult circumstances of that conflict is proof enough that Hawaiian-Americans, regardless of their ancestry, were at least as loyal as any other American from any of the States on the mainland.

Finally, again quoting from the Senate Report of the preceding Congress on this subject: "The (Interior and Insular Affairs) committee is convinced, and there is no evidence to the contrary, that a grant of statehood will not in any way decrease the ability of the Nation or the people of Hawaii to combat the malignancy of communism. On the contrary, the people of Hawaii have taken unprecedented steps to protect themselves and have shown superior recognition of the menace. Therefore, the committee believes that statehood will provide a suitable and effective political structure through which the people of Hawaii can and will hasten the destruction of the last vestiges of Communist influence."

It is our considered judgment--regardless of what the official Communist line may be--that the Communists do not want statehood for Hawaii, for such equality of status would deprive international communism of one of its most effective and dramatic illustrations of alleged western disregard for persons of Asian ancestry.

Statehood--now--would be a potent weapon against communism, for communism feeds on discontent, humiliation, indignity, and a persecution complex. We do not imply that Hawaiian-Americans fit this description, but the Communists paint their inability to achieve equality with their mainland citizens in these terms because those they seek to indoctrinate, relate these conditions with those they know in their respective countries.

Statehood for Hawaii is more than a political issue of the moment: It is an international token of our real intentions in dealing with the problems of this difficult world in the nuclear, space age. Only illogically and self-defeatingly can we preach democracy to others while denying proper and long-overdue recognition to a deserving territory in our own front yard because of its cosmopolitan population.

The admission of Hawaii as a State would deprive the Communists of one of their most effective weapons in the cold war, while immeasurably contributing to our international relations.

Ard, the Nation would reap great and material benefits from statehood.

The substantial contributions of Hawaii's population would be even greater under the dignity and equality of statehood.

But, even more, Hawaii's significant location--as the hub of a huge wheel around which revolves the vast reaches of the mighty Pacific Ocean, touching upon more nations and peoples than the rest of the world combined--cannot be minimized, and the increased transpacific trade of this country should not be overlooked.

There are many of us--mostly from the Pacific coast--who feel that the westward march of progress assures that the next great era of civilization will be around the Pacific Basin, where most of the world's population resides, where the markets for our goods are to be developed, where the natural resources we need to satisfy our ever-growing economy are stored, and where trade and commerce yet undreamed of waits to be exploited.

Hawaii is the logical center for all of these activities. And, under statehood--as has been demonstrated when every Territory attained the status of a State--tremendous economic growth will result, with special benefits for our own West coast.

In spite of this testimony, we Americans of Japanese ancestry contend that, as a matter of conscience and principle, the racial composition of the population of Hawaii should be of no consequence in this matter; the fact that certain people of Asian ancestry constitutes the bulk of the population should be neither an argument for--or against--statehood. The fundamental question involves

not the races of people in Hawaii, but the kind of thinking and living in which they indulge as citizens of that Territory.

By this yardstick, there can be no doubt that Hawaii's mixed population qualifies as American, as U.S. minded, as an integral part and parcel of our Nation and our Government.

Though Hawaii may not be contiguous geographically speaking to the continental United States, ideologically and sentimentally they are as contiguous as Virginia and West Virginia, New York and New Jersey, Illinois and Indiana, California and Oregon, or any other two contiguous States in the United States. And in this age of jet and space transportation, distances such as those involved here are meaningless.

The only reason that JACL felt compelled to comment on the so-called Japanese of Hawaii was to demonstrate the innate Americanism of this significant group and to illustrate that they, as well as every other nationality group in Hawaii, are ready and eager for statehood.

Statehood would be in the national and international interests of our Nation. But it would also be fitting recognition for the loyalty and allegiance of Hawaii to the United States for more than half a century; a compensation to her people for the taxes they have paid into the National Treasury, the land they have built, and the lives they have given to our common destinies.

Too long by delay have we denied justice and equality to the people of Hawaii.

May this be the long-awaited-for year when Hawaii will be welcomed into the partnership of the United States on the full and equal basis which she deserves.

Mr. MASAOKA. Some question was raised of the original laws under which Hawaii became an incorporated Territory, particularly in regard to the immigration laws and their application to Hawaii. I think that throughout history it will be shown that whenever the immigration laws of our country were modified or changed, Hawaii was considered as a part and parcel of the United States. The three great immigration acts of our history were the acts of 1917, the acts of 1924, and the so-called Walter-McCarran Act of 1952. And in each of these three precedentmaking statutes relating to immigration and naturalization, Hawaii was considered on a par with every other part of the United States.

I may say, however, that in 1924 that particular immigration act created what is called the exclusion areas of the Pacific, and Japanese, Chinese, and others from that area were denied admission into the United States.

In 1952, however, the Immigration and Nationality Act of that year eliminated all racial discrimination against all Asiatic peoples and gave to the peoples of Hawaii, California, Washington, every State, in fact, represented by members of this subcommittee—gave aliens of Asiatic ancestry the right to become naturalized citizens.

In that connection, it might be pointed out that in the early hearings on statehood questions were brought out about the large alien population of Hawaii. The answer to that is simply that prior to 1952, under the naturalization laws of our country, Asiatics could not become naturalized citizens of the United States. Since the effective date of that act, December 24, 1952, more than 10,000 alien Japanese alone, in the Territory of Hawaii, had become naturalized citizens, which is the most remarkable record of naturalization by any people in the history of the United States.

The chairman and the Senators from both Idaho and Utah are well aware of what the Naturalization Act has meant in terms of alien Japanese in their respective States. But I do want to emphasize that as far as the immigration laws are concerned, ever since our country

was founded, and particularly since Hawaii became an incorporated Territory, the laws of the United States relating to immigration and naturalization have always considered and treated the Territory of Hawaii as an integral part of these United States.

Senator JACKSON. I would just say right at that point that I do not think there is any question. Just from memory, I think that the 14th amendment provides that all people born in the United States or subject to the jurisdiction thereof are citizens of the United States and the State wherein they reside.

Mr. MASAOKA. And the Territory in which they reside.

Senator JACKSON. But the key point of the 14th amendment is: subject to the jurisdiction of the United States, you see. So there cannot certainly be any question in my mind about the fact that Hawaii is subject to the jurisdiction of the United States, and Congress could not, if they are subject to the jurisdiction of the United States, deny people who are born therein the right to United States citizenship. Now, you also have the problem of being a citizen of the Territory for purposes of voting. That is something else. But as to United States citizenship, since the adoption of the 14th amendment, I cannot conceive of how Congress could abridge it in any way if the area wherein the person is born is subject to the jurisdiction of the United States.

I may be wrong on my law.

Mr. MASAOKA. You are absolutely right, Mr. Chairman. In *Regan v. King*, decided in 1943, the Supreme Court of the United States made very clear that a person born in the United States, regardless of his ancestry, is a citizen of the United States.

We go now to one of the great charges that are raised against Hawaii becoming a State, and that is the cosmopolitan, the mixed population of that area.

As I said, I am very gratified that the members of this committee specifically pointed out that rather than being an argument against, this is an argument for statehood. I only wish that the Voice of America and the newspapers would publicize this throughout the Far East, because too often the people in the Far East have heard that the reason Hawaii was denied statehood is because of its population, largely those of Asian ancestry.

In the Orient there is a slogan which says, "A picture is worth a thousand words," and if we can give to Hawaii this picture of statehood, it would be worth, as pointed out by members of this sub-committee, thousands of words in our ideological battle with the Communists. And while we are speaking of the Communists, we might say that if we give to Hawaii statehood status, we deprive the Communists of one of their most effective tools in the Orient against the United States. We demonstrate by this picture that democracy in action does work and it does extend to the peoples of Hawaii statehood status.

We have given to the Philippines independence. We gave to Japan a democratic form of government, and then moved out. We have maintained a free China. Largely by our contributions, free Korea continues to exist. We are building up the forces and the economies of southeast Asia. These we do for peoples outside the United States. And yet for an incorporated territory, a part of the

United States, we have yet failed to give them the equality and justice to which we think they are entitled.

I think I need say no more about the population except to rephrase what the chairman has pointed out. The very fact that Hawaii has so many people of Asian and Polynesian ancestry is a way to reaffirm to the world America's belief in the brotherhood of men and the democratic precepts of equality and justice for all.

Aside from the fact that the admission of Hawaii would be in the national interest, there is the question of whether these people are assimiable.

Gentlemen, I sit here as an example of Americans of Japanese ancestry and Americans of other ancestry. If to assimilate and become an American is to obey the laws, if it is to go to our schools, if it is to participate in civic activities, if it is to be willing to go out and die for your country if necessary, then Americans of Japanese ancestry are just as assimilated and integrated as any other Americans. Indeed, as all of you are aware, in World War II, Americans of Japanese ancestry were subjected to unusual treatment and persecution, if you will. Yet, the Japanese American of Hawaii and of the mainland United States had enough faith in the American way that despite this persecution and this discrimination they volunteered to fight, and many of them died, for our country. And on the battlefield of war they purchased with their blood the right to be called and to be considered Americans.

And in the Korean war, as in World War II, they distinguished themselves with valor. They proved that Americanism is a matter of the mind and the heart and not of race or ancestry. They proved that the slant of a man's eyes does not indicate the slant of his heart.

The charge is often made, together with that of the racial composition of Hawaii, that Communists abound there, and unless the Communist problem can be dealt with, Hawaii should not be granted statehood. In this connection we hear over and over again the great influence of the Longshoremen's Union.

I think the greatest refutation of the power which communism allegedly holds over the people of Hawaii is demonstrated in the Korean war, when many members from Hawaii of the United Nations and the American Armed Forces served in Korea. Many of these people were members of the International Longshoremen's and Warehousemen's Union. And yet not a single soldier from Hawaii defected to the enemy. Not a single soldier from Hawaii showed cowardice. Not a single soldier from Hawaii was brainwashed to the extent that he did not want to be returned to the United States.

On the other hand, without impugning the loyalty of any from the mainland, the fact is clear, as this committee pointed out 2 years ago in its report, 22 soldiers from the mainland did go over to the enemy. But not a single one from Hawaii. This in spite of the fact that on a percentage basis three times as many soldiers from Hawaii served as from the mainland United States.

Not only that, but speaking again of the Communist menace, the so-called hearings of the Un-American Activities Committee were quoted to indicate the menace of communism there. Yet the fact is that exactly a month ago, when the House was holding hearings on this same question, Congressman Francis E. Walter, who is chairman

of the House Un-American Activities Committee, appeared before the House Interior and Insular Affairs Committee and urged statehood for Hawaii and indicated that under statehood the people there would be able to take care of the Communist problem as well as or better than they can at the present time.

Furthermore, I think it ought to be pointed out that the constitution of Hawaii—and it is the only constitution, as far as I know, of any of the 49 States, which has a specific prohibition against the use of Communists in public office or in public employment. If I may, I would like to cite section 3, article 14, of the constitution, which was promulgated for the 50th State 9 years ago. And that section reads as follows, and I quote:

No person who advocates or aids or belongs to any party, organization, or association which advocates the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office or employment.

Gentlemen of the committee, we think that this is an absolute indication that the people of Hawaii and the framers of their constitution and the kind of people who will be in their legislature recognize communism for the menace that it is and will deal with it as they have in the past.

The Secretary of the Interior this morning indicated that for the past 9 years the Communists and others who were interested have been trying to eliminate a certain law relating to block strikes, and they have not been able to succeed. This and all the evidence of the FBI, the armed services intelligence forces, and, of course, your own confidential records, will indicate that communism is no more a threat in Hawaii than anywhere else, and that under statehood the people can take just as good or better care of that particular problem than they can under their present Territorial status.

The suggestion was made, in conclusion, that Hawaii, being where it is, ought to be given either independence or Commonwealth status.

Hawaii is a part of the United States, and in the interests of the United States the Congress over 60 years ago decided to make Hawaii an incorporated Territory of the United States. About that same time they did not take in the Philippines as an incorporated area, simply as an insular possession, which in time would be granted statehood.

We have lived up to our commitment to the Philippines.

As far as Puerto Rico is concerned, when it became a part of our insular possessions, it was not granted by the Congress of the United States in its wisdom Territorial rights. Recently it was given Commonwealth status.

But we should keep in mind two factors. First, that the Congress and the Government of the United States have considered Hawaii of such vital importance to our strategic and economic life that they made it an incorporated Territory; that, secondly, the people of Hawaii themselves want to become a State in the Federal Union. When these two factors are taken together, I think there can be no question in the minds of the Senate, at least, we hope, that Hawaii has always been, as far as the Congress of the United States is concerned, an incorporated Territory, which, in its appropriate time, would be given the grant of statehood.

Mr. Chairman, my understanding is that I am the last witness at these hearings. I hope—and in a sense I think it is quite appropriate—that I can come and speak for my comrades who served in the Army with me, so many of whom came from Hawaii; that this, now that Alaska, particularly, has become a State is the time when we must act. This is the time when we can show to Hawaii by granting her statehood that we appreciate the many contributions of her people in war and in peace, the taxes that she has paid, the lives she has given to our country. And by making her a State, we not only serve the international diplomatic interests of our country, but, a point that has seldom been mentioned, we serve the economic interests of the United States, as well; for Hawaii, by the very nature of its location in the crossroads of the Pacific, is like the hub of a great wheel where more than half of the people of the world reside. Here are the great natural resources. Here are the markets of the future. And we who live along the Pacific coast, and the western part of the United States, are aware of the great economic potential of the Pacific Basin.

Thus I say in the national interest, in the international interest, as well as the business interest, of the United States, Hawaii should now be granted statehood. And I hope that when the 4th of July comes, along with Alaska, the 49th State, Hawaii can be placed as the 50th star in our Federal constellation.

Thank you.

Senator JACKSON. Thank you, Mr. Masaoka, for a very fine statement, excellently presented.

Any questions?

Senator MOSS. May I say a word about Mike Masaoka? I probably should have introduced him to begin with. This committee has just heard his very intelligent and eloquent presentation.

Mike comes from my State, and we attended the University of Utah together, and I have been very proud of our friendship over the years. Mike himself represents the finest in American citizenship, and it is fitting that he should be here to present this statement on Hawaii, particularly when the question has been raised about the oriental population. Mike is an authentic war hero of the heroic Japanese battalion, or battalion of Japanese extraction, and has served his country in a manner that few have had the opportunity to do.

I congratulate you, Mike, on your excellent statement, and I wanted to say this to the committee, because I believe that what you have told us has been very telling in this hearing.

Mr. MASAOKA. Thank you.

Senator JACKSON. Thank you very much, Senator MOSS.

Senator CHURCH. Mr. Chairman, I would like to commend the witness on his statement and to thank him for the particular emphasis that he placed upon the Communist question, inasmuch as I anticipate that this question will be raised again and again, and is likely to figure prominently in the debate on the bill on the floor of the Senate.

I think it cannot be stressed too much that there is no real relationship between the question of statehood, on the one hand, and the Communist problem on the other, in the sense that the existence of Communists in Hawaii is a reason for denying statehood. I do not think that it is remarkable that there are Communists in Hawaii; there doubtless are; there are Communists on the mainland. There is a

very powerful and important ILWU union in Hawaii. There is also a very prominent and important ILWU union on the mainland. No one has suggested that these are cogent reasons for withdrawing statehood from California.

Mr. MASAOKA. Of Washington or Oregon.

Senator CHURCH. Or any other State on the mainland.

The remarkable thing, it seems to me, is not that there are Communists in Hawaii or on the mainland, but that there are so few in either place. And I think that the witness has made a very telling point when he emphasizes to this committee that the granting of statehood can in fact be a significant weapon against communism everywhere.

And not only will it help facilitate the capacity of the people of Hawaii, through their self-government, to cope with such problems as may now or in the future exist in Hawaii, but this is also a weapon that the whole country can use in a symbolic sense in our efforts in other parts of Asia to prevent further Communist penetration.

I do feel that in respect to Alaska, Mr. Chairman, not enough attention has been given to broadcasting the significance of Alaskan statehood to the world at large, because the admission of Alaska into the Union signaled the death of a colony and the acceptance of the people of Alaska on a full and equal basis as an integral part of our Federal Union. And I understand now that more attention is being given by the Voice of America and by other news broadcasting agencies to the significance of Alaskan statehood as an achievement in our broadcasts and in our literature abroad.

I think that Hawaiian statehood will have even greater impact in this direction, for the reasons that the witness has mentioned.

I want to commend him for coming today and for making so excellent a statement.

Senator JACKSON. I should merely like to associate myself with the remarks by both of my colleagues, Senator Moss and Senator Church.

Frankly, I do not think we have taken advantage of a great opportunity to tell the people of Asia about Hawaii. I think that Hawaii can make a terrific contribution to the improvement of our standing in the Far East in a community where over half of the world's population reside.

I should like to see the time when we have developed a good scholarly exchange program, where our students, scholars, the intellectuals of the Far East, who come to the mainland, can have the opportunity to spend a portion of that time in Hawaii. They will see with their own eyes the kind of environment that has been brought about in Hawaii through freedom. After all, the great struggle that is going on in the world today boils down fundamentally to one word, freedom. And I repeat what I said earlier this morning, that I think Hawaii, by coming into the Union as the 50th State, will make a greater contribution to the other 49 States than anything that we can give to Hawaii.

Any further questions?

Thank you very much. We appreciate your statement, as we have on many other occasions when you have so effectively appeared here on the Hill.

Does anyone else desire to be heard on the question of statehood for Hawaii?

Are there any other witnesses?

The Chair has received a number of communications, and if there is no objection, they will be included in the record. One is from the AFL-CIO legislative representative in support of statehood for Hawaii, and there are some letters, not many, opposed to statehood for Hawaii, and there may be some other communications, and if there is no objection, we will receive up until tomorrow any communications that may be presented for or against statehood for inclusion in the hearings.

(The communications are printed later in this document.)

Senator JACKSON. If no one else desires to be heard, the committee's public hearings will be concluded, and we will meet in executive session to mark up the bill tomorrow at 10 o'clock. We hope to complete that tomorrow, if possible.

Thank you very much.

(Whereupon, at 2:50 p.m., the public hearings were concluded.)

{At the direction of the chairman, the following staff memorandum is made a part of the record of the hearings:)

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
THE U.S. SENATE,

March 5, 1959.

To: Senator James E. Murray, chairman, Senate Committee on Interior and Insular Affairs.

Subject: 1959 Report of Hawaiian Subversive Activities Commission.

From: Stewart French, chief counsel.

Gov. William F. Quinn, of Hawaii, has submitted to the committee a copy of the 1959 Report of the Territorial Commission on Subversive Activities, dated February 28, 1959. You will recall that this commission was established by the popularly elected Legislature of Hawaii on its own initiative in 1949, and is supported from Territorial funds. The commission points out that its maintenance over a period of 10 years has cost the Hawaiian taxpayer approximately \$180,000 or an average of \$1,500 a month.

(The question arises as to how many of those States whose representatives are opposing statehood can boast of having taken similar steps. According to J. Edgar Hoover there is no greater Communist activity in Hawaii than there is in the present States.)

Parts of the commission's 1959 report are being quoted by opponents of statehood for Hawaii who overlook the significance of the fact that the people of Hawaii have established and paid for their own subversive activities investigatory body. In view of some of the quotations that have been lifted out of the report, permit me to lift the following:

"The ranks of public employees and public officers in Hawaii are not known to contain any Communists. All known former Communists, publicly employed, have cooperated with the proper authorities in disclosing their knowledge of the Communist conspiracy. But, public employees who are members of the UPW have done nothing to rid their organization of Communists who are paid organizers and representatives of the UPW."

"The institutions of public education in the Territory of Hawaii continue to be especially alert to the danger of communism.

"Thus, Hawaii's schools and government are singularly free of Communist taint. This can be attributed in great measure to the statutes enacted by the legislature in 1949 and 1951 and to the general determination of Hawaii's government officers to exclude subversive persons and influences" (pp. 28-29, 1959 Subversive Activities Report).

The vigilance, resourcefulness, and energy of the people of Hawaii in combating communism in their midst, despite the handicap of Territorial status, is further demonstrated by their retention, despite vigorous efforts on the part of the leaders of the ILWU, of the dock seizure law of 1949. This was a measure enacted by the Territorial legislature for the purpose of dealing with the 1949 dock strike in Hawaii. It authorizes the Territorial government to take over and operate the docks.

The Territorial government did take over and operate the docks and the strike was settled soon thereafter.

Since then, the ILWU leadership has campaigned vigorously for repeal of the dock seizure law. It--the leadership--has had no more success than it had in opposing the adoption of the proposed State constitution. The ILWU leadership had insisted that the proposed constitution was too conservative, but the people adopted it by a vote of better than 3 to 1.

These are but two examples not stressed in our current hearings of the vigilance and resistance of the people of Hawaii against any suggestion of Communist domination, and of the lack of any significant influence by the ILWU leadership in matters bearing upon civic responsibility. The opponents of statehood have not been able to cite a single instance of Communist domination or control.

As our hearings--the last of a long, long series on Hawaii statehood, it is to be hoped--go to press, I note the omission of a fact in which you, as a leader in the fight for better education, will be particularly interested. The new Territorial legislature comprises 51 members of the house of representatives and 25 in the senate. The legislative biographies show that 16 out of the 25 senate members are graduates of mainland universities, and 31 out of the 51 house members likewise are mainland university graduates.

The foregoing is not in any way in derogation of the excellence of the University of Hawaii, which, by any standard, is an outstanding institution of higher learning. (The late Senator Hugh Butler, of Nebraska, the former chairman of the committee, who long was a vigorous foe of statehood but who was a great enough man to see and acknowledge his error in that respect and who then became a leader in the fight for statehood, visited the university when he and I made an inspection trip to the Islands in 1952, and was greatly impressed by it.) The high proportion of mainland university graduates in the Territorial legislature is merely further evidence of the unity between the Hawaiian Islands and the mainland.

STEWART FRENCH, *Chief Counsel.*

A P P E N D I X E S

APPENDIX A

The text of S. 50, as introduced, and the official reports thereon, are set forth below. Because of its pertinency to one of the primary points asserted by opponents of the proposed legislation, the request of the chairman to the Justice Department for specific information and comment on the Communist issue is also set forth.

[S. 50, 86th Cong., 1st sess.]

A BILL To provide for the admission of the State of Hawaii into the Union

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified and confirmed.

Sec. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

Sec. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

Sec. 4. As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, is adopted as a law of said State, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for ordinary State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment or law, whether made in the constitution or in the manner required for ordinary State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution, or in the manner required for ordinary State legislation, but the qualifications of lessees shall not be changed.

except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act. It is further agreed that neither the State of Hawaii nor any subdivision thereof shall take any action or enact or enforce any law or regulation which imposes a tax, requirement or restriction which unreasonably discriminates directly or indirectly against nonresident persons, firms or corporations, their business, property, or occupational activities or opportunities.

Sec. 5. (a) The State of Hawaii and its political subdivisions, as the case may be, shall have and retain all the lands and other public property title to which is in the Territory of Hawaii or a political subdivision thereof, except as herein provided, and all such lands and other property shall remain and be the absolute property of the State of Hawaii and its political subdivisions, as the case may be, subject to the constitution and laws of said State: *Provided, however,* That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall be and become vested with absolute title thereto, or an interest therein conformable to such limitations, as the case may be.

(b) The United States hereby grants to the State of Hawaii, effective upon the date of its admission into the Union, the absolute title to all the public lands and other public property within the boundaries of the State of Hawaii, as described herein, title to which is in the United States immediately prior to the admission of such State into the Union, except as otherwise provided in this Act: *Provided, however,* That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall retain absolute title thereto, or an interest therein conformable to such limitations, as the case may be. As used in this subsection, the term "public lands and other public property" means, and is limited to, the lands and other properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or other properties so ceded. The lands hereby granted shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) The lands granted to the State of Hawaii pursuant to the preceding subsection, together with the proceeds thereof and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible, for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under the preceding subsection shall be used for the support of any sectarian or denominational school, college, or university.

(d) Effective upon the admission of the State of Hawaii into the Union all laws of the United States reserving to the United States the free use or enjoyment of property hereinabove vested in the State of Hawaii or its political subdivisions, or the right to alter, amend, or repeal laws relating thereto, are hereby repealed.

(e) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

Sec. 6. Upon enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official

notification of such approval, issue his proclamation for the elections, as herein-after provided, for officers of all elective offices provided for by the constitution of the proposed State of Hawaii, but the officers so elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by the constitution or laws of said proposed State, said Representatives shall be elected at large.

Sec. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election not less than sixty nor more than ninety days after said proclamation, and a general election shall take place within forty days after said primary election, and at such elections the officers required to be elected as provided in section 6 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Hawaii may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, and all claims of this State

(date of approval of this Act)

to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(2) All provisions of the Act of Congress approved _____, (date of approval of this Act) reserving rights or power to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; and section 8 of article XIV shall be deemed amended so as to contain the language of the second proposition above stated in lieu of any other language. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall thenceforth cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officer directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the

constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representatives in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 8. The State of Hawaii upon its admission into the Union shall be entitled to two Representatives until the taking effect of the next reapportionment, and such Representatives shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of the State of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) subsection (a) of section 134 of title 28, United States Code, is amended to read as follows:

"(a) The district judges, except in Puerto Rico, shall hold office during good behavior. The district judge in Puerto Rico shall hold office for the term of eight years, and until his successor is appointed and qualified."

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District Court for the District of Puerto Rico".

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii, where the term shall be six years";

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii where the term shall be six years"; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no indictment, action, or proceedings shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such cases shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit,

action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "supreme court of Puerto Rico";

(c) title 28, United States Code, section 1294, is amended by striking out paragraph (5) thereof and by renumbering paragraphs (6) and (7) as paragraphs (4) and (5) respectively;

(d) the first paragraph of section 373 of title 28, United States Code, is amended by striking out the words "United States District Courts for the districts of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a Judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a Justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in commission as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such action the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(b) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(1) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644n), is amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island".

SEC. 15. All Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as hereinbefore provided with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States. As used in this section, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to the admission of the State of Hawaii into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of the admission of the State of Hawaii into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

SEC. 16. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for Defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, (1) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes.

SEC. 17. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu

of such sentence the following: "When the State of Hawaii or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

Sec. 18. (a) Nothing contained in this or any other Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States, its Territories or possessions, or as conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) Effective on the admission of the State of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words "and island possession or island territory", the words "the State of Hawaii, or";

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words "an island possession or island territory", the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words "an island possession or island territory" the words "the State of Hawaii, or".

Sec. 19. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

Sec. 20. Section 101(a)(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a)(36)) is amended by deleting the word "Hawaii".

Sec. 21. Section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d)(7)) is amended by deleting from the third line of the first sentence thereof the word "Hawaii," and by deleting the proviso contained in the first sentence thereof.

Sec. 22. The first sentence of 310(a) of the Immigration and Nationality Act (66 Stat. 239, 8 U.S.C. 1421(a)) is amended by deleting the words "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Alaska".

Sec. 23. Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

Sec. 24. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

Sec. 25. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
January 14, 1959.

Hon. WILLIAM P. ROGERS,
Attorney General of the United States,
Department of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: The Senate Committee on Interior and Insular Affairs requests the views of the Department of Justice on S. 50, a bill to admit Hawaii to statehood. A copy of the measure as introduced by me as

committee chairman for myself and 33 other Senators of both parties is submitted herewith.

For a number of years statehood for Hawaii has been an active issue before Congress. In the 83d, 84th, and 85th Congresses, President Eisenhower has specifically made it a part of his program, setting forth his recommendations in either his state of the Union or budget messages. Again in his state of the Union message last week he once more gave endorsement to Hawaii statehood in this, the 86th Congress. During all of this time, and indeed since the 80th Congress, there have been charges and innuendo that Communist influence in the Territory was such that the Senators and Congressmen elected from the State of Hawaii would be under the influence of, or at the very least, sympathetic toward Communists. Repeated investigations and inquiries by this committee and other committees of Congress have never brought forth any evidence worthy of the name that this condition does exist, in fact. At least, no such evidence has ever been brought to my attention despite direct appeals.

However, the charges and innuendo continue. Your Department, through the FBI, is uniquely equipped to evaluate the charges and innuendo of effective Communist power within the Territory of Hawaii.

If there is substantial evidence that Communist power and influence in Hawaii is such that the Senators and Congressmen necessarily would be subject to Communist influence, then the Congress should know it. If there is no such evidence, then the Congress and the American people should know that fact, as well. Justice and fairness to the more than half a million American citizens in Hawaii, and, in the event there is a basis for the charges, the security of our Nation, demand a clear-cut statement from you based on a responsible interpretation of the facts in your Department's possession.

Accordingly, the committee specifically requests that your report address itself, frankly and directly, to this issue, as well as to any provisions of the measure itself upon which you care to comment.

Sincerely yours,

JAMES E. MURRAY, Chairman.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., February 4, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR: In your letter of January 14, 1959, to the Attorney General you request to be advised whether or not this Department has in its possession evidence that would substantiate allegations "that Communist power and influence in Hawaii is such that the Senators and Congressmen (elected there) necessarily would be subject to Communist influence." Your letter of January 19, 1959, to the Attorney General also relates to the same problem.

Information in our possession would not substantiate the allegation that Senators or Congressmen elected in Hawaii would be subject to such influence. Moreover, you will recall that in my letter to you of July 9, 1958, concerning statehood for Hawaii, I stated that the Department's position in support of statehood was firm and unequivocal. Our position remains unchanged.

The comments you requested concerning the provisions of your bill for statehood for Hawaii are in the process of preparation and will be forwarded to you upon their completion.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., July 9, 1958.

HON. JAMES E. MURRAY,
U.S. Senate, Washington, D.C.

DEAR SENATOR: Yesterday the Department received word that you were under the impression that your letter of January 13, addressed to the Attorney General had not been answered. I am writing because I am afraid that your files may not show that in response to your letter, Mr. J. Walter Yeagley of this Department

did communicate with Mr. Stewart French, counsel to the Committee on Interior and Insular Affairs, as your letter requested. As Mr. French further confirmed yesterday, it was our understanding that we had given you all the information you required.

The Department's position in support of Hawaiian statehood is, of course, firm and unequivocal. It is expressly set forth in Mr. Rogers' letter to you, dated April 8, 1957. In that letter Mr. Rogers wrote:

"The Department of Justice favors the enactment of legislation to grant statehood to Hawaii as recommended by the President in his budget message for the fiscal year ending June 30, 1958. * * *

Insofar as claims with respect to communism are concerned, the matter was discussed by Mr. Rogers in a letter to Senator Jackson, dated March 28, 1957, which was specifically called to Mr. French's attention by Mr. Yeagley last February.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 13, 1959.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate,
Washington, D.C.

MY DEAR MR. CHAIRMAN: This will reply to your letter of January 14, 1959, requesting the comments and views of the Bureau of the Budget on S. 50, a bill to provide for the admission of the State of Hawaii into the Union.

The President has strongly urged the enactment of legislation to admit the Territory of Hawaii into the Union. The President stated in his annual budget message transmitted to the Congress on January 19, 1959, that it would be "unconscionable" if this action were delayed any longer. We believe that Hawaii is fully prepared to assume the responsibilities that go with statehood and should be permitted to take its rightful place as an equal member of the Union.

Section 15 of the S. 50 would continue in force and effect all Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union, except as modified or changed by the Statehood Act or the State constitution. Territorial laws would be subject to repeal or amendment by the Legislature of the State of Hawaii. Territorial laws are defined to include "all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union."

The purpose of the foregoing section is to assure necessary continuity of laws until such time as the legislature of the new State can enact laws for the control of its internal affairs. The definition of "Territorial laws" as including laws enacted by the Congress for the government of the Territory may have the result, in some instances, of continuing Federal responsibility for the administration of laws regulating intrastate commerce. While it may be highly desirable that Federal officials continue administration of such Territorial laws for a transitional period, considerable confusion might arise if the termination of Federal responsibility were left solely to future action by the State legislature. We suggest, therefore, that section 15 be amended to make clear that such Federal responsibility will cease either on a date specified in the Statehood Act, or on the effective date of any law enacted by the State legislature which modifies or changes such Territorial law, whichever occurs first.

The Bureau of the Budget supports the objectives of S. 50, and you are hereby advised that the enactment of legislation to provide for the admission of the State of Hawaii into the Union would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

**U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 4, 1959.**

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR SENATOR MURRAY: This will reply to your request for the views of this Department on S. 50, providing for the admission of the Territory of Hawaii into the Union.

We urge the enactment of Hawaii admission legislation. We shall be glad to assist the committee in any way it may desire in connection with the technical language of the bill.

Now that the admission of Alaska as a State in the Union is a fact, we believe that the prompt admission of Hawaii, our only remaining incorporated Territory, will represent a timely addition to this Nation's complement of States. Furthermore, the admission of Hawaii will fulfill a solemn obligation on the part of the United States to the people of Hawaii—first expressed in the Treaty of Annexation in 1898.

The bill provides for the admission of Hawaii into the Union as a State, and prescribes the procedure to be followed for that purpose. It properly recognizes the actions already taken by the Government and the people of the Territory to form and adopt a State constitution, and ratifies those actions.

With the admission into the Union of Alaska, many of the objections formerly argued against the admission of Hawaii are no longer applicable. The opposition to admission of noncontiguous areas, for example, is obviously outdated. In fact, Hawaii is in every way as well qualified for statehood as is Alaska.

Hawaii is truly American in every aspect of its life. Its people have been citizens of the United States since 1900; they have no other loyalty. They have lived under the same laws, paid the same taxes, and enjoyed the same constitutional guarantees as other Americans for over half a century. The Americanism of the people of Hawaii goes beyond mere legal conformity. Hawaii is pervaded by American ideals and practices in its civic organizations and private charities, in its educational system and its athletics, in its press and radio, and in its way of living generally.

While a substantial proportion of Hawaii's people are of racial extractions originating in a distant continent, we believe there are no finer patriots in the Nation—as was proved by the kind of service given by Hawaii's sons during World War II and the Korean conflict.

Hawaii has also met every objective test of fitness for statehood. The civilian population of Hawaii for 1958 was estimated by the Census Bureau to be 578,000. Although recent figures on military population cannot be revealed for security reasons, it seems likely that the military population in 1958 amounted to about 59,000, the same figure as for 1957, thus giving Hawaii a total of 637,000 for 1958.

Thus, Hawaii's population exceeds that of the following six States: New Hampshire, 584,000; Delaware, 434,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, 214,000.

In recent years Federal Internal Revenue collections in Hawaii have generally exceeded those in 10 of the present States. In fiscal 1958, such collections in Hawaii amounted to \$166,308,000, which were greater than the collections in New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, or Alaska.

The Hawaiian tax commissioner has estimated the islands' gross territorial product for 1958 at the impressive total of \$2,109,890,000.

For many years the people of Hawaii have exercised self-government in a manner that demonstrates their firm adherence to the ideals of free government. The Hawaiian economy is well-developed and prosperous. It can easily support the slight additional expense to the Hawaiian taxpayer that will result from statehood.

The Territory of Hawaii has repeatedly petitioned for statehood, and 8 years ago adopted a State constitution which was ratified overwhelmingly by the voters. The constitution evidences a sound and mature grasp of governmental problems.

President Eisenhower has repeatedly recommended statehood for Hawaii. In opening his state of the Union address on January 9, the President said: "May I voice the hope that before my term of office is ended I shall have the oppor-

tunity and great satisfaction of seeing the 50th star in our national flag." And in his budget message to the 86th Congress, the President stated: "I again recommend that the Congress enact legislation to admit Hawaii into the Union as a State, and to grant home rule to the District of Columbia. It would be unconscionable if either of these actions were delayed any longer."

We appreciate this opportunity to again express our views on this important subject. And we stand ready to aid your committee, in any manner, to assure early consideration by the Congress of the petition of the people of Hawaii for admission of Hawaii into our Union. As a matter of simple justice, the prompt admission of Hawaii, our last incorporated Territory, should be accomplished as soon as possible.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D.C., February 12, 1959.

HON. HENRY M. JACKSON,
Chairman, Subcommittee on Territories and Insular Affairs, Committee on Interior and Insular Affairs, U.S. Senate.

DEAR MR. CHAIRMAN: The Secretary of Defense has asked me to reply to your letter of February 6, 1959, in which you announced hearings for February 25, 1959, pertaining to S. 50, the Hawaiian statehood bill. You stated the committee's desires to limit the hearings to new testimony, and asked the Secretary to advise you should he desire to present testimony.

The Department of the Navy is the action agency for this bill in the Department of Defense. Rear Adm. K. M. McManus, USN, represented the Department in recent hearings on a similar bill before the House Committee on Interior and Insular Affairs. Your letter has been considered, and it has been concluded that the testimony that any Department of Defense witness would give would contain nothing new. The report of the Department of Defense on S. 50, now in preparation and soon to be submitted, recites all views and considerations of the Department on this bill. Accordingly, no witness representing the Department of Defense is presently contemplated.

Thank you for your consideration.

Sincerely yours,

CARLTON R. ADAMS,
Captain, USN, Deputy Assistant to the Secretary (Legislative Affairs).

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., February 25, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: Your request for comment on S. 50, a bill to provide for the admission of the State of Hawaii into the Union, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

With regard to the military aspects of statehood for Hawaii, this bill provides for retention of ownership by the United States in all lands held for military purposes. The bill further provides that concurrent jurisdiction over such lands is to be vested in the State of Hawaii and the United States with the reservation to the Congress of the authority, by legislative process, to take exclusive jurisdiction on behalf of the United States. These provisions are satisfactory to this Department.

At the present time the military departments are occupying about 114,000 acres of ceded land under Territorial license. As there is no provision in S. 50 for the continued use of this land without cost, this Department could be deprived of the free use of such land. Following the hearings before the House Com-

mittee on Interior and Insular Affairs, H.R. 4221 was introduced. Section 5(d) of that bill reads:

"Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the 5 years following the admission of Hawaii into the Union, be set aside by act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States."

This provision of H.R. 4221 would protect the interests of the Department of Defense and, at the same time, would permit the necessary time for the determination of the land needs of the Department by providing for a 5-year period in which to withdraw for Federal use that land which is being used by the military departments but which has not actually been withdrawn on the date on which Hawaii is admitted to the Union. It is therefore recommended that S. 50 be amended to include the above-quoted language.

As a technical matter, it is recommended that there be an explicit showing in any bill enacted that not only the Submerged Land Act of 1953, but also the Outer Continental Shelf Lands Act will apply to the State of Hawaii.

Additionally, section 16(b) of S. 50 retains jurisdiction in the United States over lands "controlled or owned" by the United States and held for Defense or Coast Guard purposes (line 20, p. 20), and provides that such jurisdiction shall vest in the United States only so long as the particular land involved "*is owned*" by the United States (line 20, p. 21). The italicized words should conform with the preceding language and read "is controlled or owned".

If amended in accordance with the foregoing, the needs of the services would be adequately safeguarded and the Department of the Navy on behalf of the Department of Defense would support the provisions of S. 50.

This report has been coordinated with the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Department of the Navy has been advised by the Bureau of the Budget that there is no objection to the submission of this report on S. 50 to the Congress.

For the Secretary of the Navy,

Sincerely yours,

R. L. KIRK,
Captain, U.S. Navy, Deputy Chief of Legislative Liaison.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 5, 1959.

HON. JAMES E. MURRAY,

*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.*

DEAR SENATOR MURRAY: This is in reply to your letter of January 14, 1959, requesting a report on S. 50, a bill, "To provide for the admission of the State of Hawaii into the Union."

The Department's overall position on this bill may best be set forth by quoting from the President's state of the Union message, dated January 9, 1959:

"May I voice the hope that before my term of office is ended I shall have the opportunity and the great satisfaction of seeing the 50th star in our national flag."

We have no comments on the specific language of the bill because it does not directly affect this Department.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. L. PETERSON, *Assistant Secretary.*

**BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
Washington, February 11, 1959.**

Hon. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

MY DEAR MR. CHAIRMAN: This is in response to your letter of January 26, 1959, requesting a report with respect to a bill, S. 50, "To provide for the admission of the State of Hawaii into the Union."

The only provisions of this bill that directly affect the Federal Reserve System are those contained in section 17 which would amend section 2 of the Federal Reserve Act to provide (1) that when the State of Hawaii or any State is hereafter admitted to the Union the Federal Reserve Districts shall be readjusted by the Board of Governors so as to include such State, and (2) that national banks in any new State shall become members of the Federal Reserve System within 90 days after admission of such State into the Union.

These provisions were recommended by the Board of Governors for inclusion in both the Alaskan and Hawaiian statehood bills when such bills were under consideration by the Congress in previous years. The Board hopes therefore that these or similar provisions will be retained in the present bill.

As a matter of drafting, it may be noted that the second part of the proposed amendment to section 2 of the Federal Reserve Act, regarding membership in the Federal Reserve System of national banks in a new State, is identical with an amendment which was contained in the Alaskan Statehood Act approved July 7, 1958, and that therefore this amendment is no longer necessary. It may also be noted that the first part of the proposed amendment to section 2 of the Federal Reserve Act would have the effect of changing a sentence added to the law by the Alaskan Statehood Act, regarding the readjustment of Federal Reserve districts to include the State of Alaska, so as to refer to "the State of Hawaii or any State" instead of "the State of Alaska." It would be sufficient, therefore, if the present bill merely amended the next to the last sentence of the first paragraph of section 2 of the Federal Reserve Act to substitute for the words "the State of Alaska" the words "the State of Alaska or Hawaii."

Sincerely yours,

WM. McC. MARTIN, JR.

**THE SECRETARY OF COMMERCE,
Washington, D.C., March 5, 1959.**

Hon. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in reply to your request of January 14, 1959, for the views of this Department with respect to S. 50, a bill to provide for the admission of the State of Hawaii into the Union.

The comments which follow are limited to the effect of enactment of the bill on the transportation activities of this Department.

Enactment of the bill would not affect any of the transportation responsibilities of the Department of Commerce. Hawaii receives Federal-aid highway grants on the same basis as other States with the exception of funds for the Interstate System which is not appropriate to Hawaii because of its geography. Section 18 of the bill provides for the continuance of the jurisdiction of the Federal Maritime Board over shipping between Hawaii and the mainland, a provision satisfactory to this Department.

This Department would, therefore, recommend the enactment of S. 50.

The Bureau of the Budget has advised that it would interpose no objection to the submission of this report to your committee.

Sincerely yours,

**FREDERICK H. MUELLER,
Under Secretary of Commerce.**

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, D.C., January 14, 1959.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR MURRAY: I have your letter of January 8, requesting that your committee be supplied with the latest information on the population of Hawaii.

There are enclosed three copies of our report, series P-25, No. 189, giving provisional estimates of the population of States and selected outlying areas of the United States as of July 1, 1958. This shows the civilian population of Hawaii for that year as 378,000 and the total population for July 1, 1957, as 613,000.

Sincerely yours,

ROBERT W. BURGESS,
Director, Bureau of the Census.

APPENDIX B

(COMMITTEE Note.—The committee received a large number of communications respecting the issue of statehood for Hawaii, all of which were carefully considered by it. The majority favored enactment of the admission legislation, but there were also several in opposition. Some of these latter were not signed and hence are not printed in the record. Others were indecipherable. All of the communications in opposition which were received by the committee up to the time of going to press are set forth below.)

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
February 5, 1959.

Mr. RICHARD L. CALLAGHAN,
Staff Director, Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR MR. CALLAGHAN: Here are some copies of an article by Dr. Hargis, which I have been asked to pass to the Members of the Senate most concerned. Since the Hawaii statehood bill will come before your committee, I am sending these on to you for whatever disposition you think best.

Sincerely,

JAMES O. EASTLAND,
Chairman, Internal Security Subcommittee.

[From article by Dr. B. J. Hargis, director of Christian Crusade, Tulsa, Okla., August 1958]

SHOULD HAWAII BECOME THE 50TH STATE?

In a report dated June 21, 1949, the Senate Committee on Interior and Insular Affairs stated: "Since V-J Day, in September 1945, the Hawaiian Islands have become one of the central operations bases and a strategic clearinghouse for the Communist campaign against the United States of America." The report warned us that "by the well-known infiltration tactics of world communism, a relative handful of Moscow adherents in the islands, operating chiefly through the ILWU (International Longshoremen's and Warehousemen's Union), has persistently sabotaged the economic life of the Territory. This premeditated campaign of sabotage, through strikes, slowdowns, arbitrary work stoppages, and violent racial agitation, is inspired, managed, directed, and financed largely through the international headquarters of the ILWU in San Francisco." The report said that "Harry Bridges, president of the ILWU, is the unseen Communist dictator of the Territory of Hawaii."

This investigation began early in 1948 and was abandoned in June 1949 after a move in Congress for Hawaiian statehood was sidetracked by this explosive report. The complexion of our Congress has moved more toward the left since 1949 and there is some doubt that even such facts as those I have just described will halt them now. Certainly, when direct aid to Communist conspiracy govern

ments is voted by Congress, we can fear the worst for our Nation in any vote involving national security. * * *

Patrick Walsh, formerly a Kremlin agent in Canada, the United States, France, Britain, and Italy, identified Bridges as a vice president of the Cominform maritime apparatus. A report by the Senate Interior Committee during 1949 stated, "The Communist International maintains a special agency to distribute Moscow decisions and orders to the 67 nationwide Communist Parties throughout the world * * *." Harry Bridges' union was expelled from the CIO in 1949 after findings that the entire organization was Communist dominated. * * *

After 8 years, the investigation started by the Committee on Interior and Insular Affairs was resumed by the Senate Internal Security Subcommittee in December 1958. One of the first witnesses was Gen. John W. O'Daniel, known as Iron Mike and former commanding general of the U.S. Army forces in the Pacific from 1952 through 1954. He told the subcommittee that the danger from communism in Hawaii was "just as great, if not greater, than in 1948." He said that the Islands are very important militarily and that the Communists spend \$220,000 a year on organizational work there. * * * The Senate committee described the Communist operation to take over the Democratic Party in Hawaii. Representative Carroll Reece, of Tennessee, described the Senate committee's findings as follows: "First, the Reds took control of the ILWU; next the ILWU offered to 'assist' the Democratic Party, then devoured it." The committee report stated: "John Wayne Hall, the leader of the ILWU in the Hawaiian Islands, met with Harry Kronick, a leader in the Democratic Party in Honolulu, during September 1947, to determine policies for assistance to be given the Democratic Party by the ILWU. * * * By March 1948 the ILWU had undertaken a militant campaign to infiltrate and control the Democratic Party from the precinct level up through the Territorial convention, which was scheduled for May 1948. This infiltration * * * was under the direct leadership of Harry Lehua Kamoku, a recognized Communist and a prominent ILWU leader. * * * The Democratic Territorial Convention was held in Honolulu on May 2, 1948, at the McKinley High School auditorium. Forty-one Communist Party members were delegates or alternates to this convention. They controlled every committee in the convention."

Victor Riesel * * * went to Hawaii a few years ago to try to discover the source of Bridges' power. He reported some of his findings in the American Legion magazine for October 1956. Mr. Riesel said, "I found courageous journalists and businessmen trying to fight back. I found labor leaders, isolated as well as insulated, trying to fight, but utterly ignored by their national leaders at home who have not dispatched money or manpower for an effective fight on Bridges' machine. I found that Bridges' and Hall's power was so strong that their agents could wander through the legislative chambers at will. They received copies of secret documents before special legislative committees received them * * *."

In his article, Riesel informed us that the Kremlin announced to Communists during December 1955 that they considered Hawaii a "colonial area" * * *. Kommunist magazine mentioned Hawaii and American-run Samoa as examples of capitalist "colonialism." The Kremlin announced that these areas must be liberated by "revolutionary action."

In this drive for Hawaii, the conspirators want Hawaii to become a State, probably so they can send their Senators and Representatives to Washington and for other reasons. The Senate committee in June 1949 warned us: "Statehood for Hawaii is a primary objective of Communist policy in the Territory. The ILWU and the Communist Party say frankly that they could control a clear majority of the delegates who would write the new State constitution." Should Hawaii be our 50th State?

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
February 12, 1959.

HON. JAMES O. EASTLAND,
*Chairman, Internal Security Subcommittee, Committee on the Judiciary, U.S.
Senate, Washington, D.C.*

DEAR SENATOR EASTLAND: Dick Callaghan, our committee staff director, has shown me the copy of the article by Dr. B. J. Hargis, of Tulsa, Okla., in opposition to my bill for statehood for Hawaii which you sent to him. Several other persons also have sent me copies of the article, but I read it again, in the light of its submittal by you, with close attention.

Dr. Hargis' assumptions and conclusions are completely at variance with the findings of the Department of Justice, which has all of the resources of the Federal Bureau of Investigation at its disposal, and with those of the Members of the Senate and of the House who conducted painstaking investigations throughout the islands during the recess.

In the event that the formal report submitted by Congressman Leo O'Brien, chairman of the House Subcommittee on Territories, may not have come to your attention, I take pleasure in enclosing a copy.

Also, I am submitting copies of my formal inquiry of the Attorney General and his recent reply to me.

Our Territories subcommittee is opening hearings on S. 50 on Wednesday, February 25, and on behalf of its members and those of the full committee I wish to extend an invitation to you to appear at the hearing, at your convenience, and present any facts or views you believe might be helpful.

In any event, I will see to it that the article which you transmitted is called to the attention of the committee.

Sincerely yours,

JAMES E. MURRAY, *Chairman.*

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
March 2, 1959.

HON. INGRAM M. STAINBACK,
*Supreme Court of Territory of Hawaii,
Judiciary Building, Honolulu, T.H.*

DEAR JUDGE STAINBACK: I have read with keen interest your letter and its enclosures urging amendment to S. 50 to give the people of Hawaii the alternative of choosing between statehood and commonwealth status. Your enclosures also were most stimulating.

As you point out in your letter to the Advertiser, I am not a lawyer. However, I have given our political system, and its history, some little thought and study. Traditionally we have had States, Territories, and island possessions. Territories have been of two kinds, incorporated—that is, those areas to which Congress has expressly extended the Constitution—and unincorporated. (I confess I am somewhat surprised that you, who are a lawyer and a judge, make so much of the dissents in the Insular cases rather than accepting the majority opinions, which after all do state the law as it is, rather than as you think it ought to be.)

Commonwealth was unknown to our political system, except for the transitory status of the Philippine Islands, until we acquiesced in its establishment in Puerto Rico in 1952 in accordance with the unquestionable desires of the great majority of the people of Puerto Rico.

Beginning with the time Puerto Rico came under the American flag as a result of the war with Spain, the relationships between the Federal Government and Puerto Rico have been unique. The island always was outside our internal revenue system, and the Constitution of the United States was never extended to it. The act approving the commonwealth form of government which the people of Puerto Rico, on their own initiative, had drafted for themselves did not change this basic fiscal or legal relationship.

Hawaii, on the other hand, is in a very substantially different relationship, historically, legally, and factually. Last year, Hawaii paid some \$166 million into the Federal Treasury, thus contributing more than 10 of the existing States. Since the imposition of the income tax, she has paid in something like \$2.3 billion.

To deprive the Federal Treasury of this source of revenue in times such as these should be the subject of much careful thought and study. Philosophically, there is grave question as to the desirability of extending any further the principle of relieving special groups of American citizens from support of the Federal Government. These matters are not something that could, or should, be done by a simple amendment to a pending bill intended to accomplish a wholly different purpose.

Much more persuasive to my mind, however, is the fact that the people of Hawaii have incontrovertibly given proof that their desire is statehood, not some other, lesser status. As I am certain you know even better than I, in the last general election there was an organized Commonwealth Party on the ballot in Hawaii. The Commonwealth Party's candidate for the Territory

wide offices of Delegate, Mr. E. A. Brenner, received but 1,066 votes out of a total nearly 155,000 ballots cast.

To me, that is conclusive evidence of how little our 600,000 fellow-American citizens in Hawaii think of any status other than full American citizenship, which means the right to help choose their own national officers and help write their own national laws—including of course, the tax laws.

As I say, I found your ideas most stimulating, and, while I cannot agree with them, I think you should be heard. Accordingly, I am calling your letter and its enclosures to the attention of each of the committee members, and having it printed in the record of our hearings where your material will be available to every Member of the Senate.

I was genuinely glad to hear from you on this matter.

Sincerely yours,

CLINTON P. ANDERSON.

SUPREME COURT,
TERRITORY OF HAWAII,
Honolulu, T.H., February 20, 1959.

Senator CLINTON P. ANDERSON,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR: A few days ago at lunch I happened to meet Randolph Crossley who told me that he had recently sat next to you on a plane trip to Chicago and that you did not now appear so enthusiastic for statehood. In the discussion that followed, Randolph Crossley stated that if the voters of Hawaii were given the choice of statehood or Commonwealth (a tax-exempt Territory, as he termed it), they would vote 3 to 1 for such tax-exempt Territory.

I am, therefore, suggesting that an amendment be made to the pending statehood bill giving the people of the Territory the right to vote for statehood or for the Commonwealth status for Hawaii.

It would be necessary to allow some little time before such an election so that the people could secure full information on Commonwealth, which status has been completely distorted and misrepresented in Hawaii. In fact, the term "Commonwealth" is almost a bad word to many citizens of the Territory who do not realize that Commonwealth would give us a higher status than that of the present Territory.

From my own conversations with numerous people, I believe a large majority of the voters would favor such in a choice between statehood and Commonwealth.

The local people have made no effort to obtain Commonwealth, because they feel it is hopeless, many believing that the Congress could not grant such an exemption to an incorporated Territory, arriving at this conclusion from an opinion circulated by the chamber of commerce, which opinion is clearly erroneous. Others have said that Congress would never give up this large source of revenue, not realizing that Congress has exempted either directly or indirectly by the return of taxes every territory under its control (Puerto Rico, the Virgin Islands, Guam) except Hawaii.

I am enclosing for your information copy of a letter dated August 20, 1958, which I wrote to the Honolulu Advertiser and which was published therein at that time. This letter was replied to in a lengthy letter by a Professor Roberts, of the University of Hawaii. Senator Olin D. Johnston, who was then in the Territory, wrote a reply to the letter of Professor Roberts, the Senator's letter being printed in the Honolulu Advertiser, and copy of which is enclosed herewith. Thereafter, Professor Roberts wrote a lengthy answer to Senator Johnston's letter, a copy of which is likewise enclosed. I then wrote to the Honolulu Advertiser on September 25, 1958, replying to Professor Roberts' criticism of Senator Johnston, a copy of which you will find enclosed. However, the Advertiser refused to publish my September 25 letter which, of course, it had a perfect right to do.

The Commonwealth status would not necessarily be final. As pointed out in Senator Johnston's letter, Hawaii might thereafter become a State, in which case its experience in local self-government as a Commonwealth would be invaluable. Further, if the Communists obtained too much control, the Congress still having complete control of the Territory could, if it were necessary, change our form of government in such manner as to best protect the Nation and the Territory.

I believe that granting Hawaii statehood at this time would be disastrous, at least from an economic standpoint, as I think my enclosed letters clearly show.

With kind regards, I am,
Yours sincerely,

INGRAM M. STAINBACK.

SUPREME COURT,
TERRITORY OF HAWAII,
Honolulu, T.H., August 20, 1958.

EDITOR,

The Honolulu Advertiser, Honolulu, T.H.

SIR: About your recent editorial telling of the number of inquiries addressed to the chamber of commerce, the Visitors Bureau, etc., because of the publicity regarding statehood for Hawaii, I wonder what was told to those inquiring as to business opportunities in Hawaii.

Were they informed that Hawaii is one of the most heavily taxed of all the States and Territories, that its per capita tax is near the top, exceeded by only 3 States, although its per capita income is 8.5 percent below the average State income, Hawaii's average income being exceeded by 26 States?

Were they told that our bond issue is now \$94 million, as contrasted with \$810 years ago; that another \$50 million bond issue has been authorized which would place the Territory approximately \$42 million above the amount permitted under the provisions of the organic act; that the last few years, until the heavy taxes imposed by the last legislature, the Territory was in the red and that moneys must be raised to retire, as well as to pay the interest upon, the bond issue, and that all this will make for an increase of the existing high taxes?

Were they told of the bases of the income of the inhabitants of the Territory: that heading the list and constituting about one-third of such income are the expenditures of the armed services, next sugar, pineapples, and tourists?

Were they told that we cannot continue to count indefinitely upon these huge governmental expenditures—now swelled by Capehart housing projects and other huge construction programs here and in Guam and other parts of the South Pacific—nor can we count upon the maintenance here of the large military forces by the United States which is practically on a war basis. It is true, rendered necessary by conditions facing the world, but contrary to our traditions as a peace-loving nation: that we cannot count upon these extraordinary construction expenditures continuing for more than 1 or 2 years at most?

Were they told that sugar, with its high costs of labor and production, is in Hawaii a dying industry whose total employment has dropped from 44,605 in 1939 to 16,731 in 1957, and with the prospects that due to further mechanization the number of employees will be lessened during the coming years (even assuming one or more plantations will not have to go out of business because of the recent prolonged strike); that the number of pineapple employees has decreased from 15,723 in 1939 to 12,986 in 1957, with no prospects of increase in the number of employees in the future; that where the Hawaiian production of canned pineapple formerly constituted 90 percent of the world's production, today it constitutes only about 60 percent, and that pineapples, too, are facing foreign competition for world markets made doubly difficult by high costs of production in the form of increased taxes and wages?

Were they told the tourist business is a luxury business? When a recession occurs, when revenue is most needed, this business shows a rapid decrease; that the tourist trade has ordinarily increased about 10 percent per year for the last decade, but the first few months of this year showed an actual decrease due to the business recession?

Were they told that if we are to furnish employment to our rapidly growing population we must have new industries?

Were they told that Hawaii, unlike Alaska, has no large areas of land open for homesteads, no huge deposits of minerals, coal, oil (I hope), or immense stands of timber?

In the frenzied fight for statehood, have our people been informed that statehood would not add one cent to our revenues but, on the contrary, would add to our expenditures? That with rising expenditures, and increasing taxes, it would be difficult, if not impossible, to attract new industries to Hawaii as a State, but more likely tend to drive away some of those already here?

Have our people been informed that we only need ask the Congress of the United States and we could obtain a Territory free from Federal taxes, similar

to Puerto Rico? Under this tax-free Territory, or Commonwealth as it has been designated, Federal income and excise taxes averaging approximately \$154 million a year would no longer drain out of the Territory. It would be saved to our businessmen, our corporations, our professional men, our employees, employers, and laborers. The amount of 1 year's savings to our taxpayers would be more than the present Territorial budget for a 2-year period. Under this system, it is obvious that only a small part of this annual saving would be sufficient to meet the Territorial deficit, retire its bonds, and leave large sums for the betterment of conditions by way of public improvements, and tax and other inducements to new industries; that we would have an economic revival unequalled since annexation.

Have they been told that the tax-incentive plan has been particularly successful in Puerto Rico for attracting investment; that 20 years ago the situation in Puerto Rico was so bad that a Senate committee called it unsolvable because it was a scandal of slums, disease, overpopulation, and poverty? But now, to quote from a pamphlet of the First National Bank of New York entitled "The Land of Growing Hope":

"The Island (Puerto Rico)—a one-crop economy—was a stricken, near-desperate land as sugar prices tumbled in the wake of the great depression.

"Today Puerto Rico is a land transformed. * * * Its industrial progress is evident in one statistic: at the end of 1957 there were 504 industrial plants in operation—against only 21 10 years earlier. * * *

"Puerto Rico's unique status, developed to fit economic needs and cultural realities, is based upon Public Law 600 enacted by the 81st Congress in 1950 and ratified * * * by a plebiscite of the Puerto Rican people."

The 300 products of the new factories include such items as plywood, plastic dinnerware, pens, shoes, electronic components, surgical instruments, optical lens, fur coats, carpets, petroleum products, etc., giving jobs to 40,000 people.

In contrast to Hawaii's bonded indebtedness of \$94 million, note that the bonded indebtedness of Puerto Rico was \$49 million in 1957 while the legal debt limit is \$108 million.

In addition to exemption from Federal taxes, Puerto Rico offers a number of inducements to new industries such as exemption from its local taxes for a number of years (10), vocational training for laborers, technical advice, buildings for lease or sale, government loans and cash subsidies to needed enterprises. (I believe the Hilton Hotel was built by the Government of Puerto Rico and thereafter leased to the Hilton enterprises.)

It has been suggested by some that one of the reasons for the attraction of new industry to Puerto Rico is the low wages of labor. Low wages, however, do not mean cheap production. Puerto Rico had no labor to begin with except agricultural workers, many ill-educated or illiterate, subject to disease, and far from being skilled workers. Hawaii, in contrast, has a surplus of well-trained, well-educated, healthy, and competent workers whose wages, though higher, would be cheaper in the end because of their high productivity.

Although many question whether we could obtain a tax-exempt Territorial status if we sought it, it is my firm conviction there would be no difficulty in obtaining this exemption which now is granted to all the other Territories (except Alaska) either directly, or indirectly by returning the amount of the taxes collected, on the theory that there should be no taxation without representation. See two opinions of Judge Learned Hand (*Porto Rico Coal Co. v. Edwards*, 275 Fed. 104, and *Neuss, Heaslein & Co. v. Edwards*, 30 F. 2d 620) holding "there can be no doubt that Congress may prefer the Territories, imposing the resulting burdens on the States at large, just as it may directly tax them and cover the proceeds into the Treasury * * * for the preference granted is to a community which has no voice in the result."

I have talked with many of the leading Members of the Congress, including over a score of Senators, and the opinion of such individuals, including many who are for statehood, is that such a status would be granted Hawaii if Hawaii would request the same, although the Congress will not force the status upon us. In this connection it is interesting to note that, according to the newspapers, the Secretary of the Interior, Mr. Seaton, himself one of the most ardent advocates of statehood, made the remarks that he would favor Commonwealth status for Hawaii if Hawaii desired it.

Respectfully,

INGRAM M. STAINBACK.

[Published in the Honolulu Advertiser, Sunday, Sept. 7, 1958]

U.S. SENATE,

Washington, D.C., September 4, 1958.

EDITOR,
Honolulu Advertiser, Honolulu, T.H.

SIR: An article in a Honolulu newspaper by a Professor Roberts has been called to my attention wherein the writer makes the assertion that the Congress does not have the power to change Hawaii into a commonwealth and exempt it from Federal taxation without an amendment to the Constitution.

There is no provision in the Constitution providing for "incorporated" or other types of Territories. The single provision in the Constitution relative to Territories is contained in Article IV, section 3, that "The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States." Under this article, the Congress in the government of the Territories has plenary power relative to the form of government it shall establish for Territories and such governments may not necessarily be the same in all the Territories and may be changed from time to time.

Some time ago, after reading reports of endorsement of various groups supporting statehood, I made the remark in the Senate that "they have compelled me to delve into some of the past of the Hawaiian situation. My curiosity was intensified and sharpened by the unadulterated dicta in the opinions of the Supreme Court cited in the report.

"I found in the reports not one opinion which was anything but dictum. If the Senators will read them they will come to the same conclusion.

"As a lawyer I have always known that when an adversary in a lawsuit had to rely upon obiter dicta to support his legal position, he did not have a strong case."

I know of no lawyer in the Senate who has questioned the right and power of Congress to set up for Hawaii a new type of government and call the same commonwealth.

After such change, Hawaii would still be "Territory" of the United States and subject to the power of Congress to make changes from time to time as it might see fit and could eventually become a State if Congress and Hawaii both desired such.

Respectfully,

OLIN D. JOHNSTON,
U.S. Senator from South Carolina.

SUPREME COURT,
TERRITORY OF HAWAII,
Honolulu, T.H., September 25, 1958.

EDITOR,
Honolulu Advertiser, Honolulu, T.H.

SIR: To comment upon some of the statements in the letters of Professor Roberts:

As to the "false assumption" of advocates of commonwealth that "our economy is falling apart at the seams," let us look at the facts:

1953: Deficit of over \$1 1/4 million; bond issue, \$48 million.

1955: Deficit of over \$8 million; bonded indebtedness over \$53 million.

1957: Deficit of over \$4 million; bonds issued and outstanding at that time were \$87 million.

Today: Bonded indebtedness is \$94 million, and \$56 million increase authorized.

1959: Surplus is estimated for the biennial period ending in 1959 due to extraordinary expenditures of the government and the high taxes.

These figures do not include the many millions of bonds issued by the city and county and the counties.

As pointed out, the Territory's per capita tax is exceeded by only three States, while the per capita income is less than that of the average State, being exceeded by 26 States. The Hawaii sales tax is the highest in the Union and the proportion of income taken by taxes in Hawaii is exceeded by very few States.

According to Dr. Shoemaker's 1958 midyear report, governmental expenditures for 1957 constituted \$385 million out of a total of \$856 million, or approximately

45 percent of the income of the people of the Territory, instead of about one-third as mentioned in my earlier letter. This large increase in governmental expenditures was due to the huge construction program in the Territory which I am informed will be completed within the next 2 years.

With our chief industries, sugar and pineapple, showing a decrease in employment over the last few years (sugar from 44,608 to 10,791 and pineapple 15,723 to 12,986), the tourist industry alone has shown an increase; but that the tourist business is a precarious one is emphasized by a dispatch in the morning paper of September 12, which states that some 20 hotels in Miami have been put into bankruptcy by 1 bad season.

It is interesting to note by Dr. Brown's article in the Advertiser of September 14 that in 1957 Hawaii's per capita income increased only 1.9 percent over 1956, as compared with the average of 3.4 percent for the 48 States for the same period; that for the 10-year period ending in 1957 there was an increase of 31.6 percent as compared with 54.2 percent increase in the 48 States.

As showing the impossibility of attracting any great number of new industries under the present setup, I was told by a prominent resident of the Territory that the head of an eastern industry telephoned his firm intended to move one of its large plants and was considering Honolulu; when the inquirer learned the firm would not be given a site for its plant, that the cost of industrial property was \$2 to \$3 a foot, and that our tax rates were exceedingly high, he immediately lost interest in bringing the plant to Hawaii. (Incidentally, according to an advertisement in the September issue of Nation's Business, already this year 54 U.S. manufacturers have decided to open new plants in Puerto Rico and 7 new hotels are under construction, plus over 500 new industries in the 10 years preceding.)

When I became Governor in 1942, I was alarmed at the Territory's outstanding bond issue of approximately \$40 million. With the cooperation of the legislatures, we succeeded in making substantial reductions of this amount. Now the bond issue is \$94 million, with increases from year to year at a higher and higher rate of interest. In 1950 Hawaii sold bonds with a return of 1.6 percent interest, while the last 2 sales of Hawaiian bonds had interest rates of 3.75 and 3.1 percent.

From the facts given, the reader can judge for himself whether our economic situation is on a sound basis and whether we are taking adequate steps to provide jobs for our rapidly increasing population.

The professor says another "false assumption" of advocates for commonwealth is that "an incorporated Territory can be disincorporated." No such assumption was ever dreamed of. We do not consider "incorporation" involved in the power of Congress in legislating relative to Hawaii or other Territories of the United States. As heretofore stated, the term "incorporated" Territory is a conventional label devised by judges in the insular cases and added nothing to clarity of thought relative to the power of Congress over Territories. As one of the Justices said, the word appears to introduce a new element of confusion (the various insular decisions created much confusion and uncertainty as to how far the "Constitution followed the flag"), and another Justice, Mr. Justice Harlan, stated: "I am constrained to say that this idea of 'incorporation' has some occult meaning which my mind does not apprehend. It is enveloped in some mystery which I am unable to unravel." It is unfortunate Mr. Justice Harlan, a very able Justice, did not live to the present so the professor could unravel for him the mystery as to what is meant by "incorporation" of a Territory, not to mention the even more mysterious term of "disincorporation" of a Territory.

Nothing contained in the U.S. Constitution or laws gives any special status to the "incorporated" Territory, and Hawaii is given no peculiar status by the resolution of annexation which provides the Hawaiian Islands and their dependencies "are hereby annexed as a part of the Territory of the United States."

The contention that Hawaii, an incorporated Territory, is destined for statehood or promised statehood is a misstatement both of the facts and the law. The facts were thoroughly discussed in Senator Johnston's argument in the Senate and Mrs. Mellen's article in the Advertiser last year; the cases which are used in the opinion of the lawyers to sustain their contention deal with continental Territory. Several cases have stated, in substance, as did *O'Donoghue v. United States* (289 U.S. 516, 537):

"Since the Constitution provides for the admission by Congress of new States (art. IV, sec. 3, clause 1), it properly may be said that the *outlying continental public domain*, of which the United States was the proprietor, was, from the beginning, destined for admission as a State or States into the Union * * *." [Emphasis supplied.]

This outlying continental Territory was promised statehood because the Eastern States, unable to settle their respective claims to lands west of the Alleghanies, ceded these lands to the U.S. Government upon the understanding that these would be made into States. Many such cessions were made before the adoption of the Constitution.

I do not intend to discuss in detail all the cases cited in the opinion of the six lawyers. The quotations from them are all dicta and with a possible single exception the dicta do not support, even by way of analogy, the contention that Congress does not have the power to exempt from taxes an "incorporated" Territory, but statements in these cases show quite clearly the contrary. The opinion of the Deputy Attorney General, rehashed by the six lawyers, is based almost entirely on the dictum in *Doucens v. Bidwell*, the dictum which was not even in the opinion of the Court, but in that of a Justice in one of the four opinions written in that case, and was specifically repudiated in *Alaska v. Troy*. It was transmitted to the Senate by Delegate Farrington, Senator Anderson (who is not a lawyer) and Senator Cordon (no longer in the Senate), and possibly one or two statehood advocates, did suggest there might be some doubt about the power of Congress to grant Hawaii Commonwealth status. This is not surprising as the opinion reads very plausibly—except to a constitutional lawyer.

The professor cites the uniformity clause of the Constitution providing that all duties, imposts, and excises shall be uniform throughout the United States. He then states Hawaii is an incorporated Territory and an integral part of the United States and therefore Congress has no power to exempt the Territory. Unfortunately, the Constitution must be taken as a whole and its construction is not so simple as the professor would have it.

There can be no question but that for many purposes the words "United States" include not only "incorporated" Territory but unincorporated Territories, possessions, and the District of Columbia, but the general language of the Constitution is confined to the States and the provisions relative to uniformity of taxes and no preference to ports do not include Territories. There are numerous decisions to this effect: In fact, we need not go beyond the cases cited in the opinion to the chamber of commerce to show this conclusively.

The chief cases relied upon in the opinion to the chamber of commerce are *Loughborough v. Blake* and *Doucens v. Bidwell*. The first case held the U.S. Government could tax the District of Columbia and did make the statement that the "American empire"—the United States—was composed of Territories and States and included the District of Columbia, but it also made the statement:

"Congress has clearly no power to exempt any State from its due share of the burden. But this regulation is expressly confined to the States, and creates no necessity for extending the tax to the District or Territories. * * * They, therefore, may, without violence, be understood to give a rule, when the Territories shall be taxed, without imposing the necessity of taxing them." [Emphasis supplied.]

The courts have stated time and time again that the Constitution was made for the States, not Territories. In the 1848-49 Senate session, in a debate on giving territorial governments to California, Utah, and New Mexico, Senator Webster said " * * * that Congress governed the Territories independently of the Constitution and incompatibly with it; that no part of it went to a Territory but what Congress chose to send * * *." When asked if Congress could make an ex post facto law, etc. applicable to a Territory, Senator Webster replied "No" because of the limitation upon the power of Congress to pass any such acts. This will be referred to hereinafter.

Mr. Justice Brown, in *Doucens v. Bidwell*, said:

"The Constitution was created by the people of the *United States*, as a union of *States*, to be governed solely by representatives of the *States*; and even the provision relied upon here, that all duties, imposts, and excises shall be uniform throughout the *United States*, is explained by subsequent provisions of the Constitution, that 'no tax or duty shall be laid on articles exported from any *State*', and 'no preference shall be given by any regulation of commerce or revenue to the ports of one *State* over those of another; nor shall vessels bound to or from one *State* be obliged to enter, clear or pay duties in another.' In short, the Constitution deals with *States*, their people, and their representatives."

Again, *Doucens v. Bidwell* flatly states that in the early internal revenue laws (I have not checked on these laws) no provision was made for the collection of taxes in Territory not included within the boundaries of the existing States. It said:

"It would prolong this opinion unnecessarily to set forth the provisions of these acts in detail. It is sufficient to say that *Congress has or has not applied the revenue laws to the Territories, as the circumstances of each case seemed to require*, and has specifically legislated for the Territories whenever it was its intention to execute laws beyond the limits of the States. Indeed, whatever may have been the fluctuations of opinion in other bodies (and even this court has not been exempt from them), *Congress has been consistent in recognizing the difference between the States and Territories under the Constitution.*" [Emphasis supplied.]

The Professor asks why cannot Congress refund our taxes to us now and still retain us as an "incorporated" Territory. The answer is that Congress can and would retain us as a Territory since a Commonwealth is a Territory and comes under the provisions of article IV, section 3, of the Constitution. The forms of government created by Congress from time to time for governing different territorial areas have been designated by the courts with conventional labels based upon the relative power of self-government granted each. They designated areas granted little self-government as possessions, others as "incorporated" Territories (formerly organized Territories). None of these labels has been recognized by Congress except the new one called "Commonwealth" which has even greater powers of self-government than other forms of territorial government.

Not only have there been a number of decisions of the United States courts holding the Commonwealth of Puerto Rico is still a "Territory" (see cases cited in *U.S. v. Rioz*, 140 F. Supp. 376), as would be a Commonwealth of Hawaii, but at a congressional hearing it was pointed out the basic power inherent in the Congress of the United States, by virtue of article IV, section 3, of the Constitution, cannot be taken away. As Chairman Joseph O'Mahoney said: "Congress has the right to make all needful rules and regulations governing the Territories. Nothing that we can do can take that power away." In a study regarding the constitutional status of Puerto Rico, Prof. David M. Helfeld said: "Though the formal title has been changed, in constitutional theory Puerto Rico remains a Territory." [Emphasis supplied.]

The professor's argument, that if Congress has the power to give us Federal tax exemption and then take it away, then Congress could take away our Bill of Rights, is a most remarkable conclusion that disregards the most elementary principles of constitutional law.

Our fundamental rights are protected by inhibitions which go to the root of the power of Congress to act, at all, such as that no bill of attainder or ex post facto law, or law respecting the establishing of religion, etc., shall be passed. I might further add that the Federal Government, being one of limited powers, can claim no powers which are not granted it by the Constitution, either powers expressly granted or given by necessary implication. Therefore, many constitutional authorities hold these prohibitions in the Bill of Rights are not necessary but are put in merely as additional precautions to protect "fundamental rights."

The professor states the special committee of the chamber of commerce is equipped to interpret decisions of the courts. I have so much respect for the learning and ability of these lawyers that I do not believe any one of them made any extended research regarding the cases cited in the brief of the Assistant Attorney General. Their claim that the word "State" in *Alaska v. Troy*, as used in the clause forbidding discrimination of the ports of any State, is distinguishable from the words "United States" in the clause requiring uniformity of taxation, is clearly shown to be erroneous both by the statement in *Doucets v. Bidwell* heretofore cited, and the decision in *Kwockton v. Moore*, 178 U.S. 41, at page 105. This letter case points out that the two clauses originally formed part of one clause and were separated in arranging the Constitution for style only, saying:

"Thus, it came to pass that although the provisions as to preference between ports and that regarding uniformity of duties, imports, and excises were *one in purpose, one in their adoption*, they became separated only in arranging the Constitution for the purpose of style." [Emphasis supplied.]

In contrast to the opinion to the chamber of commerce we have the opinion of the most noted lawyers in the Senate of the United States, some of them former judges and at least one of them a former teacher of constitutional law, and of the several compilation commissions to revise the statutes of Hawaii (1925, 1935, 1945, and 1955), as well as a number of decisions that show beyond

question Congress may exempt a Territory from Federal taxes. In 1925 the Compilation Commission consisted of E. C. Peters, W. F. Frear, and A. F. Judd. In the note to the Revised Laws of 1925, to section 5 of the Organic Act dealing with the Constitution, the statement is made:

"* * * the legislative power of Congress over a Territory, whether exercised directly or through a Territorial legislature, is often said to be plenary, and is not limited by such specific provisions as the apportionment clause in respect of direct taxation and the uniformity clause in respect of indirect taxation, which control legislation for national purposes * * *." [Emphasis supplied.]

The Compilation Commissions of 1935 and 1945, as well as that of 1955, repeated this note. Chief Justice A. G. M. Robertson and Associate Justice Cristy were members of the 1935 and 1945 commissions. I do not need to point out to the people of this Territory the distinguished record and standing of the three Chief Justices (Frear, Robertson, and Peters) and of Associate Justice Cristy. I doubt if any dozen lawyers have participated in cases involving so many constitutional questions as have these men—either as attorneys or judges. Judge Frear was a member of the bench at the time of annexation; Judge Robertson became Chief Justice not very long after annexation; Chief Justice Peters arrived in the Territory at the time of annexation and became Attorney General soon thereafter.

In addition to the decision in *Alaska v. Troy* that Congress may discriminate against the ports of Alaska, an "incorporated" Territory, we have the decision of *Eva Plantation Co. v. Wallace* holding that Congress has the power to limit imports of sugar from Hawaii: it said:

"Under the territorial power of the Constitution (article IV, section 3, clause 2), Congress may discriminate commercially against the Territory of Hawaii as a whole even though it is an organized Territory."

That Congress may discriminate in favor of, as well as against, Territories see *Porto Rico Coal Co. v. Edwards*, 275 Fed. 104, 105, upholding the exemption of Puerto Rico from Federal taxes, "as the example at bar is of a Territory having no share in the Government of the United States." [Emphasis supplied.]

In *Neuss, Hesslein & Co. v. Edwards*, 30 F. (2d) 620, 622, Justice Learned Hand, an outstanding member of the Federal bench, stated:

"As a purely fiscal policy there can be no doubt that Congress may prefer the Territories, imposing the resulting burdens on the States at large * * * for the preference granted is to a community which has no voice in the result * * *." [Emphasis supplied.]

This exemption is not based upon the principle of the poverty of Puerto Rico, but upon the principle upon which the Revolution was fought: No taxation without representation.

I am considerably surprised and I dislike to comment upon the tactics of Professor Roberts in quoting from a letter of mine out of context so as to entirely change its meaning. He quotes that portion of a letter and emphasizes the statement "I hope you will block it [statehood] for this session." (The emphasis was made by Professor Roberts.) He implies my only object was to block statehood and not to obtain commonwealth. My letter to Senator Malone enclosed several articles which had been published in the Honolulu Advertiser regarding commonwealth. Thereafter the statement was made that "The reaction has been very favorable according to the oral comments and letters I have received. The editor of the Advertiser gives me a similar report. I believe if the people of the Territory knew something about the advantages of commonwealth they would overwhelmingly favor the same." I then made the statements which were quoted by the professor. I continued: "I believe that by another year if we can get the people informed of the great advantages of commonwealth they will favor it by a large majority." Who, now, is using chicanery—the proponents of commonwealth or the fanatical fighters for statehood? These tactics, of course, are in line with the methods practiced for many years in Hawaii by ardent proponents of statehood who feel, rather than think, on statehood and question the integrity and good faith of any who oppose them, and who use pressure for statehood endorsement upon every group in the Territory from the chamber of commerce to the schools, from the prohibition groups to the bartenders' union.

Personally I need no subterfuge to oppose statehood. I opposed it openly when I went to Washington as requested by the chairman of a Senate committee to testify on the subject, and I may add that in my several appearances before the committee every member attended which the chairman informed me

seldom occurred. I still oppose it, not only on the ground our economic development requires a commonwealth-type government so the Territory can offer inducements to new industries to supply jobs for our rapidly increasing population and decreasing jobs but, further, because the communist menace is real. If Hawaii were made a State it would not, as asserted by statehood advocates, be in a better position to control communism, but quite the contrary. *Pennsylvania v. Nelson*, 350 U.S. 497, holds that the Smith Act, which prohibits the knowing advocacy of the overthrow of the Government of the United States by force and violence, is so pervasive as to make reasonable the inference that the Congress left no room for the State to supplement it, and the Federal Act precludes the enforcement of State laws on the same subject. On the other hand, as long as Hawaii remains a Territory, Congress has plenary control and if the Communist menace should become too great the Congress could alter the Territorial form of government in such manner as might afford protection against the Communists. If necessity required drastic action, it might even give us a commission form of government which we barely escaped at the time of the Massie case.

Finally, if Congress can discriminate against Hawaii as it has, and can discriminate in favor of a Territory (Puerto Rico) by exemption from Federal taxes because as a Territory it has no share in the Government of the United States, but Congress cannot discriminate in favor of Hawaii by exempting it from Federal taxes (Hawaii also being a Territory and having no share in the Government of the United States), then in the words of Mr. Bumble, "the law is a ass--a idiot." However, I do not agree with Mr. Bumble but with the opinion of Mr. Justice Learned Hand that:

"As a purely fiscal policy there can be no doubt that Congress may prefer the Territories, imposing the resulting burdens on the States at large * * * for the preference granted is to a community which has no voice in the result * * *."

Respectfully,

INGRAM M. STAINBACK.

[From the Honolulu Advertiser, Sept. 11, 1958]

ROBERTS REPLIES TO SENATOR OLIN JOHNSTON'S COMMONWEALTH LETTER

EDITOR, THE ADVERTISER: A letter to the editor by Senator Johnston of South Carolina taking issue with one of my articles on Commonwealth has just been called to my attention. We are delighted to have him join in the local discussion on Commonwealth and to have him share his observations.

The Senator raises five points which we feel should be answered.

1. The Senator says he knows of "no lawyer in the Senate who has questioned the right and power of Congress to set up for Hawaii a new type of government and call it Commonwealth."

The U.S. Senate discussed the Commonwealth issue in 1954 and 1958. The proposal was defeated both times; by a vote of 60-24 in 1954 and 50-29 in 1958. There were numerous lawyers among the 50-60 Senators who voted against Commonwealth. The reasons for voting were not all expressed.

Senator Guy Gordon, then chairman of the Senate Subcommittee on Territories, and listed as a lawyer in Who's Who and the Congressional Directory, questioned the power of Congress to change Hawaii's status, except toward statehood. He said in part:

"I believe that the amendment (Monroney Commonwealth amendment) sets up an impossible proposition so far as these two Territories are concerned. I believe there is very grave doubt whether, constitutionally, the status which is proposed can be accorded.

"There is still another very grave question, constitutionally, that is, whether, once the status of an incorporated Territory has been created, it is possible for the Congress of the United States to change it, except to raise the status to that of statehood" (Congressional Record, p. 4077).

2. The Senator says that the Supreme Court cases cited in "the report," by "groups supporting statehood," were "unadulterated dicta."

I am not sure I know what the Senator means by "unadulterated dicta." The exact issue on whether Congress can exempt Hawaii from Federal taxes can't come before the Supreme Court until the Congress legislates and the issue comes to the Supreme Court for review. In that sense a review of decisions of the Supreme Court are dicta. The real issue is whether the line of cases

involving the same basic questions provide a more realistic guide to what the Supreme Court is likely to do.

The special committee of the chamber of commerce recently examined the court cases involved in the Commonwealth debate. Attorneys Arthur G. Smith, C. Nils Tavares, Wilfred C. Tsukiyama, J. Garner Anthony, William B. Stephenson, and Walter Clark are equipped to interpret the decisions of the Court on the issue. (See also the legal memorandum on pp. 3831-3833 of the Congressional Record, March 30, 1954.)

3. The Senator says that Congress has the power to change Hawaii into a Commonwealth.

We disagree. We have already noted that the majority of the Senate considered this point and defeated the Commonwealth amendments.

If for the sake of argument, we agree with the Senator that the Congress has plenary authority over Territories (including Incorporated Territories) what is to prevent the Congress from taking away our citizenship and making us "Independent"? Senator Knowland expressed this fear during the debate on Commonwealth when he said:

"The argument which has been made today relative to the Commonwealth status, it seems to me, would apply only if we were determined that neither of these great Territories should be admitted as States of the Union and that we, instead, were going to set them upon a course toward ultimate independence as independent nations."

If we are at the mercy of Congress and if Congress has the right to change the compact entered into between the United States and the people of Hawaii and make us a Commonwealth or set us adrift as an independent nation, why can't Congress refund our taxes to us now and still retain us as an incorporated Territory?

4. The Senator says that Congress has the power to exempt Hawaii from Federal taxation.

We disagree. The uniformity clause of the Constitution provides in part that " * * * all duties, imposts, and excises shall be uniform throughout the United States." Hawaii is an integral part of the United States, an organized Territory incorporated into the United States. (See Congressional Record and cases on p. 3832.)

The special committee of the Honolulu Chamber of Commerce found:

"The * * * proposition that an incorporated Territory may be exempt from such taxes elsewhere imposed is without legal justification, since an incorporated Territory is a part of the United States within the meaning of the uniformity clause. This is borne out by the cases of *Rinns v. United States* (194 U.S. 486), and *Wunn-Johnson v. Shoun* (194 U.S. 496), where the Supreme Court upheld certain license taxes which Congress had imposed on business in Alaska for the purpose of raising revenue for the administration of the government of Alaska on the ground that they were local taxes levied under article IV, section 3, clause 2, the Court at the same time recognizing that if they had been general taxes levied under article I, section 8, clause 1, the uniformity clause would apply. To the same effect is *Alaska v. Troy* (258 U.S. 101), where the Court distinguished between the regulation of commerce (Merchant Marine Act of June 5, 1920) and taxes levied under section 8 of the Constitution, holding that the regulation of commerce is not governed by the uniformity clause and hence is not subject, so far as Alaska is concerned, to the uniformity clause of section 8."

I believe that the people of South Carolina if offered Commonwealth and Federal tax exemption would turn it down as an insult. We feel the same way about it. We in Hawaii with a personal per capita income in 1957 of \$1,821 have less right to claim remission of Federal taxes than the people of South Carolina with a personal net income in 1957 of only \$1,180.

We want membership in the Union of States on an equal footing with all of the rights (representation in the Senate and House, the right to vote for the President, etc.) and obligations, including the payment of Federal taxes. This is a privilege which American citizens should cherish, not try to avoid.

5. The Senator says that "after such change (to Commonwealth) Hawaii would still be 'Territory' of the United States and subject to the power of Congress to make changes."

If we agree with the Senator that Congress has the power to change us "from" and "to" anything, to give us "Federal tax exemption" and to take it away, then the Senator has made the strongest argument for statehood that I know. Can the Congress take away our Bill of Rights?

The press has reported that the Senator opposed statehood but that "as of now my mind is open." We hope that after getting to know Hawaii, its institutions and people better he will see his way clear to support us in the next Congress in our legitimate claims for statehood.

Our opposition to Commonwealth is based among other things on its "intangible" status, its deviation from the traditional American road from Territorial status to statehood, and the untenable "tin-cup" approach of a reasonably prosperous community seeking Federal tax exemption.

HAROLD S. ROBERTS.

SEPTEMBER 7, 1958.

EDITOR'S NOTE.—Dr. Roberts is dean of the College of Business Administration, and was a delegate to the 1950 Hawaii Constitutional Convention.

BERRYVILLE, VA., February 25, 1959.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Senate Office Building,
Washington, D.C.

GENTLEMEN: I wish to go on record as being completely opposed to the admission of Hawaii as a State of these United States. It has been proven time and time again, and particularly in hearings before the Senate Internal Security Subcommittee last year that if Hawaii were to become a State, we would have Senators and Representatives from there who would be Communist controlled.

It was also shown in those hearings that anti-Communists in Hawaii are opposed to Hawaii's becoming a State for that same reason. These anti-Communists are trying to clean house in that Territory.

It is also common knowledge that Harry Bridges, the Communist, controls Hawaii just as if he were dictator.

I ask that this letter be made a part of the hearings and that you send me a copy of the hearings on this subject when they are printed.

Yours very truly,

ELIZABETH H. OSTH.
(Mrs. Robert E.)

THE U.S. FLAG COMMITTEE,
Jackson Heights, N.Y., February 22, 1959.

Senator JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, New Senate Office Building, Washington, D.C.

DEAR SENATOR MURRAY: We are opposed to S. 50, a bill for statehood for Hawaii.

After considering pros and cons, we find nothing to justify making Hawaii a State, but many sound reasons for not doing so.

Sincerely,

GRACE MURRAY, Secretary.

WASHINGTON, D.C., February 25, 1959.

Hon. HENRY M. JACKSON,
Chairman, Interior Senate Subcommittee,
Senate Office Building, Washington, D.C.

MY DEAR MR. SENATOR: For many years I have been an active volunteer in patriotic work, through the American Coalition of Patriotic Societies and two of its affiliates.

All patriots of my acquaintance are gravely concerned over the thought, even, of granting statehood to Hawaii, objections for which have been so well and correctly expressed by Senator Ellender and Congressman Pillion.

I herewith ask that my strong objections be made part of the record of the hearings on the subject, to be held February 25 and 26, before your Interior Senate subcommittee.

Most respectfully,

ESTHER LINKINS.

RESOLUTION OF THE CITIZEN FORUM OF COLUMBIA HEIGHTS IN OPPOSITION TO STATEHOOD FOR HAWAII

Whereas Hawaii is an island 3,000 miles across the Pacific from the 49 States of our Union, and

Whereas her population is 77 percent alien, consisting of Asiatics, Chinese, Japanese, and other nonwhites, with less than 14 percent Caucasian, probably including our military, their families, and Government U.S. employees, and

Whereas it is a well known fact that there are a large number of Communists in Hawaii and statehood will be of great benefit to them, besides providing one of the greatest dangers to the citizens of our Union, and that danger is the migration of Hawaiians into the United States, and

Whereas if granted statehood, nothing our Nation can do hereafter can stop the migration of Hawaiians into any one of our States from that time forth—we do not want an oriental Island State in our Union: Therefore, be it

Resolved, by the Citizen Forum of Columbia Heights, in regular meeting assembled this 21st day of February 1959, That we strenuously object to the admission of Hawaii as one of our States for the reasons hereinbefore set forth, and urge both Senate and House to deny her statehood; and be it further

Resolved, That a copy of this resolution be immediately sent to the President of the United States, the Vice President, every Member of Congress and made a part of the hearings scheduled in both Senate and House.

WHEATON, ILL., February 18, 1959.

MY DEAR SENATOR MURRAY: Knowing that the bill for Hawaiian statehood will be soon under consideration, I have been reading the hearings of 2 or 4 years ago, which you will of course consider.

I urge you to consider the final decision of that committee and keep the bill in committee for these reasons which you know:

1. Population 77 percent oriental.
2. The unbalance of representatives.
3. Communist domination by ILWU (this would hand two Communists to the Senate).
4. Location; as far from mainland as London is away (impossible for absorption into Union).
5. Scattered units; 10 to 12 small islands, only 7 of which are inhabited (majority in one city).
6. No industries; largest income from tourists.
7. What could the islands give to the Union? What advantages?

As a Territory it serves as a military base but as a State, it could not, except, with consent of Hawaii Legislature.

Harry Bridges is already on record before committee, as saying in case of war he would support Russia (Independent American, on air, Feb. 10, 1959).

We pray that your committee will support America.

BERTHA R. PALMER.

HEWITT, N.J., February 25, 1959.

HON. JAMES E. MURRAY,
Chairman, Interior and Insular Affairs Committee, U.S. Senate, Washington,
D.C.

DEAR SENATOR MURRAY: Please have the annexed memorandum, entitled "The Territory of Hawaii should not be admitted into the Union of the United States of America" filed at once with the U.S. Senate committee that is presently considering the admission of the Territory of Hawaii, outside of America, into the Union of the United States of America, with a request that it be entered into its records to the end that all may consider the propositions contained in the memorandum.

Thanking you, I am,
Sincerely,

WILLARD L. DE YOE.

MEMORANDUM

Subject: The Territory of Hawaii should not be admitted into the Union of the United States of America.

The Territory of Hawaii is in an area of the world, which some have called Oceania. It is not in America. The fact that it is not in America makes its admission a threat to the safety and welfare of our Nation. For that admission would bring about a change in our foreign policy, which could not be changed thereafter. This is the change, which such admission would cause:

1. At last our Nation would be dedicated to a world-expansion policy. We would step out of America and into the wide, wide world. How then could we criticize communistic Russia or China for their common doctrine of world expansion? Should our diplomats then chide the communistic states for world expansion, they would be scorned as hypocrites!

2. The Monroe Doctrine is a safety measure for the United States of America. If our Nation expands beyond America into other areas of the world, how can our diplomats successfully contend that other nations should not expand in South America? We know that the Communists attempt to exercise influence in the nations in America, south of the United States of America, and would like to obtain control of some of them, if not all. Our Nation must set an example in nonexpansion in the world beyond America, or become weak in our world influence. Here is a situation for the application of the Golden Rule.

3. Immediately upon the admission of the Territory of Hawaii into the Union of the United States of America, there would commence an insidious deterioration of inter-American solidarity, which was so forcefully proclaimed in the famous Declaration of Lima in the year of 1938. How can there be a vigorous inter-American solidarity, should the United States of America expand beyond America? The State of Hawaii would be a perfect catalytic to destroy such solidarity. For, with the State of Hawaii in the Union, a force would be added in the determination of our Nation's policy, which would come from beyond America.

4. Many of our Nation's friends and allies, especially those among the so-called free nations, and those, which are choosing between the way of the Communists and ours, will surely be alarmed at our new, irrevocable policy of world expansion, should a State, outside of America, be admitted into the Union of the United States of America. It seems almost certain that, should such admission be effected, tumult because of distrust of and propaganda causing such distrust of our Nation will run rife throughout the globe. And the action of admission will speak more effectively than and more loudly than all the words that our diplomats may utter in an endeavor—futilely—to minimize a certain beginning of world expansion on the part of our Nation.

5. There is a constitutional question for the United States of America in the admission of the Territory of Hawaii into the Union. Please turn to the Constitution of 1787 of our Nation. While the name "United States" is used throughout the document, yet, where the Union is last named, just before the subscription, it is called the United States of America. Thus the opinion is justified that the last name, at the end of the document, controls, for that is in line with the rule in law concerning the legal interpretation of documents. Furthermore in the Declaration of Independence (still valid, we hope and trust), in the Articles of Confederation, and in the loyalty oaths, taken pursuant to a resolution of the Congress adopted in February of 1778, our Nation is definitely and positively named "the United States of America." It would, therefore, appear that the admission of the Territory of Hawaii, located in Oceania or in the Far Pacific, beyond the shores and continent of America (North and South), would be contrary to the intention of the present Constitution of 1787, and be unconstitutional and, consequently, illegal. That should be obvious to all, except those, who persist in calling green "pink." A State should not be admitted to the Union of the United States of America, where the validity of such admission could be questioned justifiably, as in the matter of the admission of the Territory of Hawaii. It would be poor policy, indeed, to expect that the Supreme Court of the United States of America make legal, that which is truly illegal.

Respectfully submitted,

WILLARD L. DEYOE.

**STATEMENT OF WILLIS A. CARTO, SECRETARY, LIBERTY LOBBY, SAN FRANCISCO,
CALIF., IN OPPOSITION TO HAWAIIAN ADMISSION**

When the income tax (16th) amendment was passed, its promoters solemnly promised that it would never take more than 2 or 3 percent of the income of any taxpayer. However, a precedent had been established with its passage. That precedent was that it became possible for Congress, by majority vote, to confiscate up to 100 percent of a man's income if it desired to do so. Forty-six years later we realize this truth. Few realized it in 1913. A prophet then would have been ridiculed.

The admission of Hawaii would establish another precedent. This precedent would be that land or islands unconnected with the American Continent and inhabited by people of radically differing backgrounds from the majority of Americans are eligible to become a State.

Gentlemen, this is a road with no ending. This is the road to world government. It is the highway through the gradual watering down of the idea of American nationality and nationhood to a meaningless, characterless, cosmopolitan universality. It is a violence to American sovereignty. It is suicide.

There is a question which American statesmen must come to grips with before it is too late. After Hawaii, what? Puerto Rico? Panama? Guam? The Virgin Islands? Why not, then, Ghana? Or San Marino? Reasons can be found for the admission of all of these. What is the point at which we stop?

Many of the people of these countries desire to become an American State. The Governor of Puerto Rico, Luis Muñoz-Marin, does. Immediately after Congress passed Alaskan admittance, he wired to the Governor of Alaska:

"My sincerest congratulations to the Alaskan people for this victory in getting statehood through the principle of self-determination. The people of the Commonwealth of Puerto Rico, who also benefited from this principle, wish the people of Alaska lots of happiness in their new status."

Governor Marin apparently is not only in favor of statehood for Puerto Rico but he believes that it is a matter of right if it is desired by the people of Puerto Rico.

The admission of a new State is a serious matter. It is not properly a matter of emotion nor of wishful thinking. Nor is it a matter of "earning," for statehood is not a reward, to be presented as a proud parent would give an all-day sucker to a well-behaved child.

Admission must always be a matter of principle. This principle is that the issue requires calm deliberation in the light of national interest. There can be no other approach to the matter without disaster. Statesmen must calmly decide that admission of an area is in the national interest or opposed to it, and this is the sole criterion. Only national interest is concerned. This and nothing else.

Hawaiian statehood clearly has nothing to recommend it as far as this Nation's interests are concerned and each and every argument brought forth for it is specious when viewed in the clear light of national interest.

For instance, one of the arguments is that admission is necessary for national security. This is an obvious fiction. The same was said for Alaska, but after Congress favored Alaska the Washington magazine, U.S. News & World Report, revealed that opposition from high military officials was one of the factors which had slowed down its march through Congress. Now one does not need to be a military genius to perceive that a territory is much easier controlled in the event of national emergency than is a sovereign state.

Another argument is that the step of statehood has been promised by the officials of two political parties. But, gentlemen, only Congress can promise the will of the Nation, and Congress has made no promise. It is only in totalitarian states, like Communist Russia or Nazi Germany, that a political party can make promises in the name of the government.

In addition to the question of national interest there is a very important constitutional issue involved. Admission of Hawaii, to be legal, would clearly require an amendment to the Constitution, without which Congress would be acting devoid of its constitutional power to so act, and admission would be null and void. Let me read the appropriate portion of the Constitution, the preamble:

"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defense, promote the General Welfare, and secure the blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

This is where we derive the name of our country, and the name is the "United States of America."

The 20 volcanic islands in the North Pacific Ocean making up Hawaii are not part of the American Continent. This is a geographical fact.

To properly admit Hawaii would require a constitutional amendment changing the name of this Nation to, perhaps, the "United States of America and the North Pacific Ocean," or to the "United States of Anywhere." The latter would probably be preferable because we could then retain the initials "U.S.A."

We are in danger of making a cataclysmic turn in American history. We are at the point where we may remain a Republic with clearly defined boundaries or soon become a meaningless conglomeration, an "empire" if you like the term, with our boundaries and our voting electorate changing with the whims of pressure groups and the cast of fortune.

I do not begrudge Hawaiians the right to petition for admission. It is their right to do so and I, as a citizen of the Nation they admire, am flattered at their high opinion of my country. But I protest at the insane hysteria which has been excited in Congress by the lobbyists who are promoting this for their own selfish ends. This hysteria is a totally artificial thing, un conducive to calm discussion and influential to the best interests of the country. Is Congress really going to capitulate so easily to the wiles of the professional pressure artists and the venality of tawdry political "deals"? What has happened to statesmanship?

A certain Senator's legislative assistant—a very capable gentleman—has protested at my accusation that lobbyists have whipped up this hysteria. He has said that he doubts if there are any such lobbyists. I prefer to believe differently. I find it impossible to believe that this mysterious claim for admission—a step obviously detrimental to our long-range interests—is spontaneous. I have more respect for the collective intelligence of Congress than to believe otherwise.

In spite of the fact that Hawaiian admission has been before Congress for 10 years, I submit that the discussion of this grave step has heretofore always been in the realm of partisan politics or idle chatter about the imagined wishes or welfare of the Hawaiians and never—repeat, never—in the realm of true national interest. This is why I doubt if all of the honorable Senators have had the opportunity to understand the import of the step.

I pray that the honorable Senators will allow themselves to stand away from the hurly-burly of partisan politics long enough to perceive the true road ahead—the one leading safely through the tempest of pressure and misinformation which blows so loudly around them. I address my plea to those lonely men—those statesmen who are able to stand against the wind when they see it blowing in a perverse direction.

AMERICAN LEGION,
PERROTTE-NICKERSON Post No. 76,
Wheaton, Ill., February 24, 1959.

HON. JAMES E. MURRAY,
Washington, D.C.

SIR: We are absolutely opposed to the admission of Hawaii or any other group to our U.S. citizenship that are located far from our mainland.

Other objections to the admission of Hawaii as a State, are:

- (1) Its manner of life is far different, as a whole, to that of ours.
- (2) A vast proportion of its inhabitants are communistic or favorable thereto,
- (3) Hawaii is dominated by arbitrary unionism.
- (4) Hawaii is Celestial in origin. While it is proper to admit Celestials in small numbers at a time to citizenship, we cannot expect to absorb them in great masses, particularly when they are so far from our mainland.

(5) Protection of Hawaii would add a large cost to our country and lead to much "entanglement."

Let's covet and keep our Constitution strong. This applies to all citizens including our apparently weak Supreme Court.

Respectfully yours,

EDWARD J. KUNZE,
Past Commander.

4 WEST 43D STREET, NEW YORK, N.Y.
February 24, 1959.

Senator HENRY M. JACKSON,
Chairman, Subcommittee on Territories, Committee on Interior and Insular Affairs, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR SIR: This statement is submitted for inclusion in the record of hearings concerning statehood for Hawaii—in opposition to granting statehood.

I speak solely as an individual citizen; as a native of the United States, a long-time member of the New York Bar; as a veteran of both World Wars (major, Air Force, World War II); as a writer and lecturer on public affairs—especially concerning the field of constitutional law and American history, in relation to traditional principles underlying domestic and foreign affairs, and national defense.

This statement will be confined to a single main point, that now is the time to establish the principle and precedent against inclusion in the Union, as a State, of any island area or any other area off the Continent of North America, as the only sure way of avoiding the quicksand trap of geographic imperialism.

This term "geographic imperialism" is used to denote that aspect or type of imperialism which involves an open-end policy of expansion through inclusion of any and all Territories which may from time to time seem desirable as units in the homeland's political structure—in this case as States. History would seem to teach that such a policy, put into practice, is one way by which a strong, cohesive, unified nation can easily undermine the foundations of its enduring quality to its ultimate doom. This is all the more important for the people and their public servants, including the Congress, to consider at this time—now that the United States is deeply mired in global militarism-imperialism on an ever-expanding scale in violation of all traditional American principles, in conflict with the genuine needs of sound national defense (including New World defense), and in defiance of the requirements of a sound national picture from every standpoint including that of constitutionally limited government under a stable Constitution respected in practice as the foundation of rule by law.

It is noteworthy that Soviet Russia, practicing ruthless imperialism—in part through the agency of its International conspiracy (the Communist Party) seeking to overthrow all non-Communist governments, including ours—in pursuit of the Communist goal of world rule by the Kremlin, is carefully avoiding this very trap, which has wrecked past imperialistic systems: open-end political expansion. This factor alone promises to contribute substantially to the long life of the Kremlin's dominance over a continental (Eurasian) empire of heretofore undreamed of size, backed as it is by military might of comparable significance. Therein lies the hideous meaning of today's reality: Russia over Eurasia and vicinity, in military potential, under the evil genius of the Kremlin's brutalitarians, as the Russo-American era begins.

Hawaii can no longer be counted a reliable defense asset of the United States, capable of enduring in war, because Russia's rocket-firing submarines can obliterate Hawaii in the first hour of conflict and it is impossible to prevent this. Hawaii, like all island areas (including most notably Great Britain), is completely indefensible, an adequate defense cannot be conceived—not to mention Russia's long-range rockets, or those from east Siberia, 3,000 miles distant. This eliminates any argument that Hawaiian statehood can benefit homeland defense in war.

The very apathy of the American people in the face of America's palpably disintegrating body of traditions and principles, in foreign as in domestic affairs (chief of all apathy toward the rampant and wholesale usurpation of power by all three branches of the Federal Government every year since 1933 as to Presidents and Congress and since 1937 for the Supreme Court) is one warning sign that the only sure way to avoid the above mentioned trap is to stop now the first step toward overexpansion of the homeland's political structure: deny Hawaii statehood. It is recommended that this be done.

HAMILTON A. LONG.

WHEATON, ILL., February 24, 1959.

Hon. JAMES E. MURRAY,
Chairman, Interior and Insular Affairs.

MY DEAR SENATOR MURRAY: It is my understanding that the Hawaii statehood bill will be voted on this week, or very soon. For the following reasons it is my hope that it will be defeated:

(1) The Hawaiian economy is dominated by Harry Bridges and his Longshoremen's Union.

(2) The population is more than 75 percent oriental. What can most orientals know of self-government?

Could not the Senators elected under such conditions be extremely liberal, if not out-and-out Communists?

Respectfully,

(Mrs. E. P.) RUBY C. MILLER.

APPENDIX C

(COMMITTEE NOTE.—The committee deems it inadvisable to attempt to reprint all of the communications it received in support of statehood. The following are set forth as being typical examples:)

**WESTERN STATES DEMOCRATIC CONFERENCE,
COMMITTEE FOR ADMISSION OF HAWAII TO THE UNION IN 1959,
SAN FRANCISCO, CALIF., February 27, 1959.**

**Hon. JAMES E. MURRAY,
Senate Office Building,
Washington, D.C.**

DEAR SENATOR MURRAY: Cal Rawlings, chairman of the Western States Democratic Conference, appointed me and Marguerite Peyton Thompson cochairman of a committee to do our best to see that the 12 Western States present a strong and unified front in favor of Hawaiian statehood this year.

I know that nearly all, if not all, of the western Democratic Congressmen and Senators favor Hawaiian statehood, but if it isn't too much trouble we would appreciate it ever so much if you would drop us a line advising of your feeling on the subject.

The first step we have taken was to try and get resolutions out of every legislature in the 12 Western States and I enclose a progress report.

Best wishes and many thanks for your cooperation.

Sincerely yours,

**ROGER KENT,
Vice Chairman.**

FEBRUARY 26, 1959.

MEMORANDUM ON PROGRESS IN THE TWELVE WESTERN STATES FOR HAWAIIAN STATEHOOD

I have just returned from a short business trip to Hawaii and the people are tremendously excited about the prospect of statehood and there would be the most distressing letdown if statehood is not achieved this year.

Naturally both houses of the legislature in Hawaii have memorialized Congress to admit them this year.

The following action has been taken in other Western States.

1. The first memorial resolution ever passed by both houses of the State of Alaska (House Joint Memorial No. 1) urges Congress to admit Hawaii "to the Union on an equal footing with the other States." It was passed by the house February 2, 1959, and by the senate February 7, 1959. I am delighted to report that the author was one of our faithful members Helen Fisher who is a member of the Alaskan House of Representatives.

2. California: The California Assembly passed a resolution on January 12 urging Congress to grant statehood to Hawaii. Senator Fred Farr is handling a similar resolution in the senate and will have it passed soon.

3. Oregon: David Epps reports unanimous passage of a similar resolution by the Oregon Senate February 11 and by the house on February 13.

4. Idaho: Mrs. Bert Miller advises that Mr. John Walters, State chairman will "proceed with the State affairs committee to see that a resolution is prepared and presented before the adjournment of the legislature March 5." She anticipates that it will be passed without a problem.

5. Nevada: Bill Woodburn, national committeeman, has requested a member of the assembly to introduce a resolution and I have written asking him to follow up with the Nevada Senate (which at the present time is apparently preoc-

cupled with attempting to annex a considerable portion of the State of California.)

Please let me hear from the other States and progress being made in the States mentioned above which have not as yet taken final action.

Sincerely yours,

ROGER KENT.

STATEMENT OF GEORGE D. RILEY, AFL-CIO LEGISLATIVE REPRESENTATIVE, IN SUPPORT OF S. 59 AND RELATED BILLS FOR HAWAIIAN STATEHOOD

The AFL-CIO continues to support the proposition of statehood for Hawaii which legislation now has been reported by the House committee, such action to be effective this year.

There are few new arguments for or against Hawaiian statehood. There has been little change since this committee last considered such bills, except that now there is the additional impetus for definitive action in view of the admittance of Alaska as a full-fledged member of the family of States.

Hawaii definitely appears to be qualified under the respective requirements to attain statehood (1) that the Territory must demonstrate its resources and population are sufficient to meet the cost of State government, and (2) the people of the Territory must give evidence of wish to acquire complete citizenship through statehood.

People all over the globe, wherever to be found, have demonstrated considerable urge for cutting the ties to unpleasant memories of colonialism which can be classified as a hedge against full citizenship. A Mediterranean island has just now been granted complete freedom. The populations of the captive satellites states of Eastern Europe though beaten down still wish for the return of their liberties and autonomy. Even the Kurds seeking full identity through a government of their own are getting recognition in a degree. This process is going on over all the world. In Africa. It happened in Asia. The creation of independent states and the change will continue.

Hawaiian statehood is going to take place and it has remained unfinished business for years in the Congress.

There is little to add to the arguments which have been set forth previously. We merely ask that S. 59 be reported without material change at the earliest date possible.

STATE OF MONTANA,
OFFICE OF THE SECRETARY OF STATE,
Helena, Mont., February 9, 1959.

Hon. JAMES E. MURRAY,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR MURRAY: In accordance with the mandate of the 36th legislative assembly of the State of Montana, I attach for your information and such action as you may deem necessary, a certified copy of House Joint Resolution No. 1.

Yours respectfully,

FRANK MURRAY,
Secretary of State.

MONTANA HOUSE JOINT RESOLUTION No. 1

A Joint resolution of the house and senate of the State of Montana to the President of the United States, Dwight D. Eisenhower; to the Congress of the United States; to the Senate Interior and Insular Affairs Committee; to Senators James E. Murray and Mike Mansfield; to Congressmen Lee Metcalf and Leroy Anderson; and to the Hawaii Delegation in the United States Congress and the Governor of the Territory of Hawaii; requesting the President and Congress of the United States to do what may be necessary to give full statehood to the Territory of Hawaii.

Whereas the legislature of Montana is aware of the unfairness with which the Territory of Hawaii has been treated in its appeal for statehood; and

Whereas the legislature of Montana is aware of the great contributions that the Territory of Hawaii has made to the welfare of the United States, and

believing that such contributions could be vastly accelerated by statehood; and
 Whereas the platforms of both major political parties have and do advocate statehood for Hawaii; and

Whereas the President of the United States has advocated statehood for Hawaii in speeches, and before his inauguration; and

Whereas the growth and prosperity of the Territory of Hawaii, and the people of Hawaii are seriously handicapped by the Territorial status that now exists; and

Whereas the Territory of Hawaii, and the people of that territory have now reached a stalemate in their development that cannot be overcome until statehood is granted; and

Whereas it is to the future benefit of the United States of America to accelerate the development of the vast potential that is Hawaii: Now, therefore, be it

Resolved, That the legislature of the State of Montana, both house and senate concurring, do petition the President and the Congress of the United States to jointly do that which is necessary to immediately give full statehood to the Territory of Hawaii; and be it further

Resolved, That copies of this resolution be submitted by the secretary of state of the State of Montana to each of the individuals and to the chairman of the committee named in the title of this resolution, and also to the presiding officers of both Houses of the Congress of the United States.

JOHN J. MACDONALD,
Speaker of the House.
 PAUL CANNON,
President of the Senate.

COMMONWEALTH OF PENNSYLVANIA,
 DEPARTMENT OF HEALTH,
Harrisburg, February 17, 1959.

Hon. JOSEPH S. CLARK, Jr.
 U.S. Senate,
 Washington, D.C.

DEAR SENATOR CLARK: I am writing you about a matter which has no direct connection with my position as secretary of health of Pennsylvania, but in which I have a personal interest and knowledge, having been health officer of the Territory of Hawaii from 1943 to 1953. The matter is statehood for Hawaii, which is being considered by the present Congress.

It is my feeling that Hawaii is definitely ready to become a State of the United States and is deserving of taking its position among the other 49 States. Congressional committees have investigated Hawaii's aspiration for statehood some 23 times and I believe there are over 6,000 pages of reports compiled on these investigations. I had the opportunity to personally testify before two of these investigations. If I remember correctly all of the investigations indicated that Hawaii was in state of readiness for statehood.

You will receive much testimony on this matter. I would just like to add to it that my intimate knowledge of the Territory indicates a high degree of educational, economic, and social responsibility among the people of Hawaii who, as taxpaying citizens of the United States are intimately concerned and interested in the future of the United States of America to which they are certainly as loyal as the citizens of the various States. The Health Department of Hawaii is the oldest of any of the State or Territorial health departments having been started in 1850 and being in continuous existence since that time.

I believe that the citizens of Hawaii have earned the right to statehood and that this privilege is now due to them. If necessary, I should be glad to testify as to any of the details of my knowledge of public health, government or living conditions in Hawaii.

I trust that when the matter of the decision on statehood for Hawaii is before you, you will see fit to act upon it favorably.

Sincerely yours,

C. L. WILBAR, Jr., M.D.,
Secretary of Health.

The MONTANA POWER Co.,
Butte, Mont., February 20, 1959.

Re Hawaiian statehood.

Hon. JAMES E. MURRAY,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURRAY: I have had an opportunity to visit with some of my friends in Honolulu on the question of Hawaiian statehood and thought you would be interested in having me report to you the results of those conversations.

I made extensive inquiry into the question of whether these people believed that the very large Japanese population in the Islands is loyal to the United States. I confess that I was fearful that we might ultimately have two Japanese Senators and several Japanese Congressmen from Hawaii. Without exception, my informants were satisfied that the Japanese citizens of the islands are loyal Americans. They used the experience in World War II and a lack of any sabotage in the extensive operations at Pearl Harbor as proof of this conclusion.

In addition, they intelligently urge that the Islands are the first line of defense for this country, that they bear an enormous responsibility and should have comparable recognition by becoming a State.

I realize that you are well informed on the question of statehood for Hawaii, but by this letter I wanted to pass on to you my conclusion that Hawaii is well deserving of statehood and should receive it. In fact, I believe that Hawaii is far more entitled to statehood than Alaska, which has already been admitted, and is far better able to bear the responsibilities of statehood.

Sincerely,

JACK CORETTE,
President,

U.S. CONFERENCE OF MAYORS,

Washington, D.C., February 25, 1959.

Hon. HENRY JACKSON,
Chairman, Territories and Insular Subcommittee,
Senate Committee on Interstate and Insular Affairs,
Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: On behalf of the U.S. Conference of Mayors I am pleased to urge the early enactment of S. 50, a bill to provide statehood for the Territory of Hawaii.

The U.S. Conference of Mayors is made up of more than 300 cities with population of 30,000 or more with all major metropolitan areas represented in its membership. The conference has consistently supported statehood for Hawaii and at its 1958 annual conference the following resolution was adopted:

"Whereas pursuant to an act of Congress Hawaii has been organized as a Territory in preparation for statehood for many years; and

"Whereas the Territory of Hawaii has demonstrated its ability to accept the obligations of statehood; and

"Whereas the 85th Congress approved the admission of Alaska as a State; and

"Whereas Hawaii is the only remaining organized Territory of the United States; Now, therefore, be it

"Resolved by the U.S. Conference of Mayors, That the Congress be, and it is hereby, respectfully and earnestly petitioned to give prompt and favorable consideration to legislation admitting Hawaii into the Union of States."

We are encouraged that the Congress has proceeded to the consideration of this matter early in its first session. We commend the members of your committee for taking the initiative on this question.

With best personal regards, I am

Sincerely yours,

NORRIS POUISON,
Mayor of Los Angeles, President, U.S. Conference of Mayors.

**AMALGAMATED MEAT CUTTERS AND
BUTCHER WORKMEN OF NORTH AMERICA,
Chicago, Ill., February 25, 1959.**

HON. HENRY M. JACKSON,

*Chairman, Subcommittee on Territories and Insular Affairs,
New Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: We should like to inform you of the complete support of the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, for S. 50, which would grant statehood to Hawaii. It is highly commendable that the subcommittee is considering this legislation in the very beginning of the 86th Congress. We hope that this speed will be maintained and that our Nation will shortly have Hawaii as its 50th State.

We recall that in convention after convention of first, the AFL, and then, the AFL-CIO, the delegates of our union have voted, together with representatives of other unions, for resolutions calling for Hawaiian statehood. Putting these resolutions into practice, the American labor movement, represented by officials of the AFL-CIO, have urged congressional committees and individual legislators to bring Hawaii into the Union as a full-fledged partner of other States.

The Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, is a labor union with 350,000 members in meat markets, packinghouses and other food and allied industries in every State of the United States and in Hawaii. We want to see a strong and prosperous Hawaii, in which labor fully shares both in the work of building the area's strength and prosperity and in receiving the benefits which come from such economic development. We pledge that our union will work vigorously to achieve both these goals.

We firmly believe that the economic growth of Hawaii must be supported by the granting of statehood to the Islands. Equality with other States will provide Hawaii many important and well-deserved benefits. Getting its fair share of Federal aid for economic and social programs, now provided by legislation, is just one outstanding example of that.

Statehood for Hawaii would certainly be in the interests of our entire Nation. In terms of the United States foreign policy, defense efforts and economic growth, statehood is not only desirable, it is absolutely necessary. We firmly believe the existing States of the United States would benefit every bit as much from Hawaiian statehood as would Hawaii.

Quite frankly, we can see no reason in the world why Hawaii should not quickly become a State. The legislation which the subcommittee is considering should have been on the statute books long ago. Hawaii has more than earned the right to statehood. By any test, whatsoever, be it economic strength, size of population, extent of education or others, Hawaii has more reason to be a State than some of our long-existing ones.

On behalf of the Amalgamated Meat Cutters and Butcher Workmen of North America, we would like to join in the testimony previously presented by our parent organization, the AFL-CIO, which is the spokesman for American labor. We strongly support S. 50 and we urge it be enacted quickly so that Hawaii may speedily become our Nation's 50th State.

Very truly yours,

**THOMAS J. LLOYD,
President,
PATRICK E. GORMAN,
Secretary-Treasurer.**

RESOLUTION OF THE HAKALAU PARENT-TEACHERS' ASSOCIATION

Whereas the Territory of Hawaii since its annexation as an integral part of the United States in 1898 has proved itself politically, socially, and economically qualified for admittance into the sisterhood of States; and

Whereas the desire of the people of the Territory of Hawaii to achieve immediate statehood has been, and still is, the fervent aspiration of every resident of said Territory; and

Whereas the national administration and the Democratic and Republican Parties of the United States of America have repeatedly asserted their beliefs that the Territory of Hawaii is qualified for statehood; and

Whereas this association and its 177 members feel that statehood could bring much joy to our members and children; Now, therefore, be it

Resolved by the Hakalau Parent-Teachers' Association, That the 86th Congress of the United States of America be and is hereby respectfully requested to grant the Territory of Hawaii immediate statehood; and be it further

Resolved, That copies of this resolution be forwarded to the Delegate from Hawaii, the Secretary of the Interior, and the chairmen of the congressional House and Senate committees, respectively.

THE DEMOCRATIC WOMEN'S FORUM OF SAN FRANCISCO,
February 11, 1959.

Re Statehood for Hawaii.

Hon. JAMES E. MURRAY,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR: As San Francisco Democrats who have a good deal of knowledge of Pacific Coast sentiment toward statehood for Hawaii, our members strongly support Senate bill No. 50, which will achieve this purpose.

Our observation of the problems of the Territory, and its capacity to solve them successfully indicate to us the readiness of Hawaii for admission to our Federal Union.

Many of our members who have traveled and studied foreign affairs extensively, believe that Hawaii's admission as a State will be an important factor in regaining international good will in the Pacific Basin.

We earnestly solicit your support of statehood for Hawaii, for the mutual advantage of the Union and the Territory, at home and abroad.

Very truly yours,

SALA BURTON,
President.
ELSA STRAIT,
Public Affairs Chairman.

MAUI COUNTY COMMITTEE FOR STATEHOOD,
Wailuku, Maui, T.H., February 17, 1959.

Hon. JAMES E. MURRAY,
U.S. Senate, Washington, D. C.

SIR: Attached herewith is a copy of a resolution adopted February 11, 1959, by the Maui County Committee for Statehood for Hawaii.

We request that you give this resolution favorable consideration in this session of the Congress.

Very truly yours,

KIYOTO TSUBAKI,
Chairman.

RESOLUTION OF THE MAUI COUNTY COMMITTEE FOR STATEHOOD, WAILUKU,
MAUI, T.H.

Whereas the Territory of Hawaii has been an integral part of the United States since 1898 and has during this time admirably fulfilled the obligations and responsibilities of statehood but has been denied the rights and privileges of statehood; and

Whereas the Territory has contributed greatly to the economic and cultural life of the United States; and

Whereas the Territory is vital to the defense of the United States; and

Whereas the record of the Territory in World War II and the Korean conflict is conclusive proof of Hawaii's Americanism; and

Whereas the "Man on the Street" poll of the Princeton Research Service showed public opinion to be 88 percent in favor of statehood for Hawaii in this session of the Congress; and

Whereas congressional committees have found Hawaii ready, willing, and able to assume all the responsibilities and rights of a State; and

Whereas the President of the United States, the Department of State, Defense, and Interior and both the major political parties have endorsed statehood for Hawaii; and

Whereas the House of Representatives of the U.S. Congress passed Hawaii statehood bills in 1947, 1950, 1958, and the Senate passed the combined Hawaii-Alaska enabling act in 1954: Now, therefore, be it

Resolved by the Maui County Committee for Statehood, That it endorse, and it hereby endorses, immediate statehood for Hawaii; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the Members of the Congress, the Secretary of the Interior, and the Delegate of Hawaii.

HUI MAKALA,
Honolulu, T.H., February 24, 1959.

HON. JAMES E. MURRAY,
Chairman, Senate Interior and Insular Affairs Committee,
Senate Building, Washington, D.C.

DEAR SENATOR MURRAY: Hui Makaala, an organization of American citizens of Okinawan ancestry, is forwarding to your committee a resolution advocating statehood for Hawaii.

Will you please give us all consideration for Hawaii to attain statehood so that we may be able to realize our lifelong ambition to be classified as first-class citizens.

We will be looking forward for a favorable congressional action. Thanking you.

Yours very truly,

TOKUICHI TAKUSHI,
Chairman, Hui Makaala Committee on Statehood.

RESOLUTION OF THE HUI MAKALA REQUESTING STATEHOOD FOR HAWAII

Whereas since its organization as an incorporated Territory in 1900 the Territory of Hawaii has been an integral part of the United States of America; and

Whereas the residents of the Territory of Hawaii have proven their loyalty to the United States of America in time of war and peace; and

Whereas the citizens of the Territory of Hawaii have repeatedly petitioned the Congress of the United States for admission of the Territory of Hawaii as one of the States of the Union: Now, therefore, be it

Resolved by the undersigned members of Hui Makaala, an organization of young Americans, That the Senate and House of Representatives of the Congress of the United States be and are hereby respectfully requested to grant statehood to the Territory of Hawaii in the year of our Lord 1959; and be it further

Resolved, That copies of this resolution be forwarded to the Honorable Senator James E. Murray, chairman of the Senate Interior and Insular Affairs Committee, and to the Honorable Representative Wayne N. Aspinall, chairman of the House Interior and Insular Affairs Committee.

Dated at Honolulu, T.H., January 31, 1959.

LAHAINALUNA HIGH SCHOOL,
Lahaina, Maui, T.H., February 8, 1959.

HON. JAMES E. MURRAY,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR MURRAY: As a member of the Lahainaluna Chapter of the National Honor Society, I feel strongly that Hawaii is entitled to statehood. I urge that you give us full support in this congressional session.

My reasons for believing that Hawaii is entitled to statehood are those given by our honorable Gov. William F. Quinn at the Governors' luncheon climaxing the Pacific Festival as follows:

1. We suffer the deprivation of the full rights of American citizens.
2. The understanding among our various racial groups has equipped Hawaii to make an important contribution to the development of closer and friendlier relations among the countries of the Pacific world.

(a) Foreign students completing an orientation course at the University of Hawaii feel at home because they find some of the foods, customs, sights, and sounds to which they are accustomed.

(b) Our technicians who bear the evidence of their ancestry on their faces are more readily accepted in the countries of Asia.

BEST AVAILABLE COPY

(c) Our people-to-people program is another example of our leadership in the field of East-West relation. An example of such is the Schools for Laos program being conducted in Hawaii.

3. According to many Asians and astute American observers who have returned from Asia, we are painted as a nation of racists who are dedicated to a theory of white superiority.

4. We are almost 600,000 American citizens who have met all the obligations of American citizenship in peace and war.

(a) Boys from Hawaii fighting with the 442d Regimental Combat Team in World War II suffered a very high degree of casualties and emerged as the most highly decorated unit for bravery in the history of the American Army.

(b) Our casualties in the Korean war were four times the national average.

5. Our billion and a third gross product supports us with a per capita income better than half the States and a total income higher than seven States.

6. We have the best public health record in the world, a very high degree of literacy and an amazing political participation.

7. The workers in the sugar and pineapple industries are the highest paid year-round agricultural workers in the world.

8. We have paid some \$2 billion in taxes into the Federal Treasury.

9. We have been working hard and long for statehood.

10. The people of Hawaii overwhelmingly want statehood.

Respectfully yours,

DAVID JAVIER.

(COMMITTEE NOTE.—During the recess between the 85th and 86th Congresses, two members of the committee, Senators Carroll and Church, visited the Territory of Hawaii on behalf of the committee. They were joined by a group from the House Interior Committee, led by Congressman Leo O'Brien. Newspaper accounts of the findings and views of the Senators and Congressmen as published in the Hawaiian press are set forth below:)

[From the Honolulu Star-Bulletin, Nov. 25, 1958]

O'BRIEN, ILWU To HOLD CHAT

(By Al Goodfader)

Representative Leo O'Brien, Democrat, of New York, will chat with ILWU chieftains today as part of an informed congressional study of Hawaii's desire and fitness for statehood.

He, two other members of the House Interior Committee and two members of the Senate Interior Committee, arrived yesterday to begin a 2-week fact-finding tour of the islands.

Part of the group attended a military briefing yesterday.

O'Brien is scheduled to meet the ILWU's executive committee at 9:30 a.m. at ILWU headquarters.

"If they're controversial I think we should take a look at them," O'Brien said. Statehood debate has included discussions of the extent of possible ILWU control over political destinies here.

"I want to meet these people, size them up," O'Brien said. "I imagine it will be very formal * * * there will be no inquisition."

He didn't know last night if any of his colleagues would attend the meeting.

O'Brien wants to learn of the ILWU's organizational structure. He also wants to know: "Do the labor leaders actually deliver the vote?"

The discussion will be part of a series of talks with people in various walks of island life, O'Brien said.

Yesterday Congressmen attended a briefing at the headquarters of Adm. Harry D. Felt, Pacific commander in chief.

"I got the impression that our posture in the Pacific would be increased if we welcomed Hawaii in as a State—that to turn Hawaii down might hurt our posture with some of the people who are our friends and allies," O'Brien said. He plans to ask some of the top military brass here to testify on that point at congressional statehood hearings in January.

Here with O'Brien are Representatives B. F. Sisk, Democrat, of California, and E. Y. Berry, Republican, of South Dakota, and Senators Frank Church, Democrat, of Idaho, and John A. Carroll, Democrat, of Colorado. They are accompanied by their wives.

They are here at the invitation of Delegate Burns in preparation for a drive to make Hawaii a State next year. Groups wishing to meet with the legislators can reach them through the Delegate's office.

Burns and the mainland visitors will discuss an outline of the study today. The group intends to visit all the islands.

O'Brien will speak at Chaminade College during his stay. The date has not been set.

The group will attend a Democratic Party victory dinner tomorrow night at 6 p.m. in the Princess Kaiulani Hotel.

[From the Honolulu Star-Bulletin, Nov. 25, 1958]

CONGRESSMEN MEET WITH ILWU OFFICIALS

Six visiting Congressmen investigating Communist influence in the islands met informally this morning with the ILWU executive board at ILWU headquarters on Atkinson Drive.

Accompanied by Delegate Burns, the delegation was greeted by Jack Hall, regional director of the labor union.

After the hour-long session, Senator John A. Carroll, Colorado Democrat, said, "These people have far more democratic representation in their trade union movement than in many areas on the mainland."

Carroll said he felt "all members of the congressional delegation were convinced that the leaders of the union were activated by the highest purpose of the trade union movement."

The Senator said, "This Communist domination, as I've said before, is a phony issue."

Seven members of the delegation said they were impressed with the results of the session.

The press was barred from the informal meeting at the suggestion of Representative Leo W. O'Brien, New York Democrat and chairman of the House Territories Subcommittee, who said he wanted to make the meeting as informal as possible.

Earlier, Burns accused local newspapers of not giving Congressmen a break by assigning reporters to stay with them during their 2-week tour of the islands.

Burns suggested that the close press coverage was hampering attempts at informality.

The delegation met Antonio Rania, president of local 142, and other union officials before joining the 20-member executive board.

The board was holding its quarterly meeting and ordered a coffee break when the Congressmen arrived.

Members of the delegation, in addition to O'Brien, were Senators Frank Church of Idaho and John A. Carroll of Colorado, and Representatives B. F. Sisk of California, E. Y. Berry of South Dakota, and John J. Rhodes of Arizona.

Statehood for Hawaii got a boost from high-ranking naval officers at a special briefing for Congressmen and delegates to the Western Regional Governors' Conference held Monday noon at the headquarters of Adm. Harry D. Felt, Pacific commander in chief.

Representative Berry said the consensus of officers who conducted the briefing was that favorable action on statehood would help the United States diplomatically in the Far East.

He said most of the briefing was devoted to an explanation of the Pacific defense perimeter and this country's Formosa policy.

Last night the Congressmen attended a luau at the Willows as guests of the Western Regional Governors' Conference. The affair was staged by the Honolulu Chamber of Commerce.

Delegate Burns, who has been helping members of the delegation plan an itinerary, said he hopes to leave Thursday to return to Washington to launch the statehood drive.

The Congressmen are planning a grassroots factfinding tour of the islands and are expected to remain on Oahu for the remainder of this week before they visit the neighbor islands.

[From the Honolulu Advertiser, Nov. 26, 1958]

PRAISE UNION SETUP--U.S. CONGRESSMEN SCORN ILWU RED ALLEGATIONS

(By Al Goodfader)

Congressmen on a statehood factfinding tour here came out of a meeting with ILWU leaders yesterday with praise of the ILWU organizational setup and scorn for charges the union is Communist dominated.

Representative Leo O'Brien, Democrat, of New York, and Senator John A. Carroll, Democrat, of Colorado, spokesmen for the group, said the ILWU's position in Territorial society is no different from that of unions on the mainland.

They were among two Senators and four Representatives who had an hour and a half chat with Jack Hall, ILWU regional director; Antonio Ranta, ILWU local 142 president, and the union's executive board.

Congressmen barred reporters they said, so they could get direct answers to their questions instead of "speeches" aimed at public consumption. They plan to follow the same practice throughout their stay here.

After the talk at ILWU headquarters O'Brien said that:

"Any Senator or Representative that sat in there this morning can make no movement of the assertion that if Hawaii comes in the Union there would be two Soviet agents [in Congress]."

And Carroll called charges that the union was Communist dominated here "all hogwash."

O'Brien said union officials offered to take oath again that they are not Communists and have not been during the last 5 years. O'Brien and Carroll said they were told by union officials that anyone suspected of Communist leanings would be "knewed under" in a union election.

And the two Congressmen praised the union leadership and organizational setup.

They said: "Membership control of the union is equal to or superior to that [of unions] on the mainland."

According to Carroll, the visiting Congressmen believe that: "This movement [the ILWU] is no different from any such movement on the mainland and certainly the officers are of higher caliber than some on the mainland."

O'Brien said union officials "conceded" that they have a strong hold over the Territory's economy. But, he added, union officials pledged that this power "would never be used for subversive purposes [but] only to advocate the cause of labor and the economy of the islands."

He and Carroll cited union acceptances of long-term contracts as examples of union good faith on this point.

O'Brien said he was "very impressed" with the part membership elections play in determining ILWU policy.

Others who slipped coffee and invited ILWU leaders to let down their hair were Senator Frank Church, Democrat, of Idaho, and Representatives B. F. Sisk, Democrat, of California, E. Y. Berry, Republican, of South Dakota, and John J. Rhodes, Republican, of Arizona.

All are members of the Senate or House Interior Committees. All but Rhodes came here on a 2-week factfinding tour designed to strengthen arguments for Hawaiian statehood. Rhodes joined the group after coming here privately.

O'Brien, a prime mover in attempts to get statehood for Hawaii, said charges of Communist domination here were "the only issue" in congressional debate on statehood. But, he said, the charges are a smokescreen for other private issues.

Yesterday evening, several of the Congressmen were guests at a reception given by Delegate Burns at the home of Territorial Senator Dan K. Inouye.

At 8 p.m. today, the group will attend a Democratic Party victory dinner at the Princess Kaiulani Hotel. Burns will be speaker.

Burns, who invited the group to make its informal investigation here, leaves tomorrow for Washington. The group plans to visit all the islands before leaving December 2.

Tentative plans call for a meeting with the statehood commission at noon Friday.

[From the Honolulu Star-Bulletin, Nov. 26, 1958]

BLUES IN ILWU ISSUE NOT RELATED TO STATEHOOD, SENATOR CHURCH SAYS

(By Jack Teehan)

Senator Frank Church, Idaho Democrat and member of the Senate Rackets Committee, today discounted reports of Communist influence in the ILWU as an argument against statehood of Hawaii.

Church, here with a five-member delegation from the Senate and House Interior and Insular Affairs Committees, said, "These problems are not at all related to the question of statehood."

One of six Congressmen who met with ILWU leaders yesterday, Church said: "I have never been a partisan of Harry Bridges (ILWU president) but my experience as a member of the McClellan (rackets) committee has convinced me that the answers to what bad practices exist in the labor movement can be found in appropriate labor reform legislation."

The youthful Senator said labor reform legislation is a first order of business when Congress convenes in January.

"I think it will better assure honest bookkeeping and union democracy and will put an end to gangsterism and other ills in the union movement," he said.

"Whatever the problem may be in Hawaii, it ought not to be used as a ruse against statehood," Church concluded.

Church said Jack W. Hall, regional director of the ILWU, told the congressional delegation yesterday that the union's leaders were prepared to testify under oath, and had so publicly declared, that they have not been members of the Communist Party for the past 5 years.

The Senator said Hall conceded such influence had once been a factor in the union but contended it had died out in recent years.

Hall referred to yesterday's session as a friendly discussion and said the union freely answered all questions.

The delegation was impressed by the fact that the ILWU has had no internal scandals and that its books are open to rank-and-file members and audited by an outside firm.

Representative Leo W. O'Brien, New York Democrat and chairman of the House Territories Subcommittee, said the ILWU "is obviously tough-handed" but apparently under the control of the membership.

Representative E. V. Berry of South Dakota, the only Republican in the delegation, agreed with O'Brien "if they operate in practice as indicated."

Berry said he wants to know more about the union's ballot-counting procedures.

Hall reportedly told the Congressmen that any candidate for public office in the Islands known to be closely affiliated with the Communist Party on a current basis would be "beaten to death" at the polls.

O'Brien called claims of a Communist menace in the Islands "a smokescreen for racism and other issues" but said later, "We could be wrong."

The New York legislator noted, however, that no one person has quietly approached the delegation to provide information on Communist influence here since they arrived.

The Congressmen and their wives were guests at a cocktail party held last night at the home of Senator-elect and Mrs. Daniel K. Inouye, 4987 Kolohala Drive. They later attended a State dinner held for delegates to the Western Regional Governors' Conference, at the Royal Hawaiian Hotel.

The delegation was to meet with various individuals in the community today and is slated to take a holiday tomorrow, Thanksgiving Day.

Senator Church will tour Air Force installations today.

Delegation members have been invited to attend a victory party for Delegate Burns tonight at the Princess Kaiulani Hotel. They will lunch with the statehood commission Friday.

[From the Honolulu Advertiser, Nov. 20, 1958]

COMMUNISM DISCUSSED--CONGRESS GROUP MEETS FBI, BIG FIVE SPOKESMEN

Visiting Congressmen met representatives of the Big Five and the FBI yesterday in their informal study of Hawaii's fitness for statehood.

Representative Leo O'Brien, Democrat, New York, a spokesman for the group, said "a majority" of the Big Five representatives favored statehood.

He kept a promise to the FBI that the information he received would be confidential.

But he added, "communism and personalities" were discussed.

"After getting all the facts, I still favor statehood," O'Brien said.

The group meets with the Honolulu Chamber of Commerce Monday noon. After that, the group will visit the University of Hawaii.

On Tuesday, Congressmen will visit island schools.

They leave at 10:15 a.m. Wednesday for Kauai. They will go to Maui on Thursday and Hawaii on Friday, returning here Saturday.

The group returns home on the Matsonia Monday.

"We will have talked to everybody—gotten as complete a cross section as we can get," O'Brien said.

[From the Honolulu Star-Bulletin, Nov. 29, 1958]

ADVICE FROM CARROLL—DON'T LET FEAR OF REDS CONFUSE STATEHOOD ISSUE

Senator John Carroll, Colorado Democrat here to research Isle statehood, today released the following statement, aimed at "clearing up certain misunderstandings" about remarks he made earlier this week, after a conference with I.L.W.U. officials:

"I am not in Hawaii for the purpose of placing the stamp of approval on any group—political, social or economic—existing in the islands, including labor organizations.

"I want the issue to be crystal clear.

"Communism ought to be resisted with every intelligent, democratic force at our command. But by the same token, in our continuing fight against Communist influence—direct or indirect—we must not let ourselves be sidetracked from the main issue.

"MAIN ISSUE"

"The major and central issue is: Are the patriotic American citizens of Hawaii entitled to become an integral part of the union of States which forms the United States of America?

"Communism is a germ in the body politic which can only grow when healthy, democratic processes become sick.

"To be deluded by the mere spectre of communism to the point it freezes us into inaction in behalf of democracy is a serious mistake.

"I have enough faith in the people of Hawaii to believe they can meet and defeat whatever Communist influence they may encounter.

"The Communist argument against statehood is all too often advanced by people who are not for statehood in the first place—the frightened people.

"I am convinced that if the people of Hawaii believed a man was serving the Communist cause, he would be pau—a dead pigeon—in this fine, American community.

"'PHONY' ISSUE"

"When I say the Communist argument is a 'phony issue,' I mean that it is phoney only insofar as it is used as a club with which to beat down statehood.

"I am not trying to whitewash any group.

"I am saying only that it is not, in any sense, related to the central issue of self-determination for a great group of Americans—the people of Hawaii—who are entitled to full citizenship in the United States."

[From the Honolulu Star-Bulletin, Nov. 29, 1958]

STATEHOOD DEFEAT WOULD HURT UNITED STATES, CHURCH SAYS

Senator Frank Church, Idaho Democrat, told the Hawaii Statehood Commission, Territorial lawmakers, and Honolulu businessmen yesterday that failure by Congress to grant Isle statehood would be a serious blow to U.S. prestige in the world at large.

Speaking to a Statehood Commission-sponsored luncheon in the Princess Kaiulani Hotel, the impassioned young Senator Church said:

"It sometimes escapes us, but it ought not to; if there is one great single thing happening in the world today, it is the way large empires are breaking up, like so many icebergs in the spring.

"The key to the success of the United States is that we have never built an empire. Rather, we have built a nation."

"Statehood has been the cement with which we have put that nation together."

"Hawaii is the last of the incorporated Territories. If we give statehood to Hawaii, we will have completed the American Union."

"If we fail, the only reason which will be remarked on in the world at large will be the racial composition of the islands."

"This would be a grievous blow to democracy at large, and to the stature of the United States in the eyes of other nations."

SIX MEMBERS

Church was one of six Members of Congress invited to the luncheon.

Another, Colorado's Senator John Carroll, predicted flatly that there will be a filibuster by Southern Democrats on the issue of statehood in the next Senate.

Carroll said that, in light of an expected Senate fight over rule XXII, the filibuster rule, "it may be some time before the Democratic Policy Committee moves forward on Hawaii statehood" in the 86th Congress.

CONTRIBUTION

Lorrin P. Thurston, Statehood Commission chairman, told the visitors he thinks it is high time the issue of statehood was discussed on the basis of what Hawaii will contribute to the United States, not what the islands will gain by admission to the Union.

Answered Congressman Lee O'Brien, New York Democrat, "You're right. Our success in making Alaska a State was due primarily to the fact that we harped on what Alaska would contribute to the country as a State."

[From the Honolulu Star-Bulletin, Nov. 29, 1958]

O'BRIEN TALKS WITH FBI; DISCOUNTS RED MENACE

After a 2-hour meeting with F.B.I. agents here yesterday, Representative Leo W. O'Brien, New York Democrat, said, "I still don't feel there is a great Communist menace in Hawaii."

Senator Frank Church, Idaho Democrat, met with sugar and pineapple industry representatives yesterday and said he found no opposition to statehood.

Church said he felt that the representatives regarded the I.L.W.U. as "a tough union but also a clean one."

O'Brien, chairman of the House Territories Subcommittee, said his views were not necessarily those of the F.B.I., but reflected his own opinion after a factual rundown in a question and answer session.

Although there are some Communists in the Islands and some former Communists who hold important positions, O'Brien said, "My position on statehood has not changed."

NO POSITION

He said the F.B.I. agents were not asked for recommendations and took no position for or against statehood.

O'Brien was accompanied by Senator John Carroll, Colorado Democrat.

At the Statehood Commission luncheon held earlier yesterday, O'Brien said he was impressed by the argument that Hawaii has something to give in exchange for statehood status—a vast knowledge of the Pacific area and its people.

O'Brien said that in the long run this knowledge may prove to be of greater importance than Alaska's rich natural resources.

The Congressman said he has received an invitation from the Hawaii Residents Association (Imua) to visit its headquarters and will do so either today or Monday.

IN RECORDS

But he said most of the information which Imua has to offer is already in the records and on file in Washington.

"I'm interested in what the situation is now—not what it was," he said.

O'Brien said he will visit the University of Hawaii, Punahoa and several public schools next Monday and Tuesday, including Kaliua High School.

Members of the congressional delegation will leave for Kauai Wednesday morning and will visit Maui Thursday and Hawaii Friday and Saturday, returning to Honolulu late Saturday.

Senator Church planned to leave the Islands Monday but said last night he is trying to extend his stay for a few days.

[From the Honolulu Star-Bulletin, Dec. 2, 1958]

CONGRESSMEN VISIT UNIVERSITY OF HAWAII IN LOYALTY QUIZ

(By Jack Teehan)

Four visiting Congressmen bounced some tough questions off the walls in the University of Hawaii administration building yesterday but left the campus intact.

The men from Washington came to separate rumors from facts and got what they wanted.

The foursome, Senator Frank Church and Representatives Leo W. O'Brien, B. F. Sisk, and E. Y. Berry, have been in the islands more than a week to satisfy themselves that Hawaii is ready for statehood.

Dr. Laurence H. Snyder, the university president, and Dr. Willard Wilson, the provost, rounded up a cross-section of the faculty for an informal chat.

Representative O'Brien was first to take the plunge.

What about the loyalty and patriotism of the students? How would they compare, for example, with Cornell students?

Dr. Wilson recalled the opinion of a visiting Carnegie professor who found University of Hawaii students more actively patriotic than their mainland counterparts.

Dr. Wilson supposed it was a holdover from World War II when the loyalty of orientals had been questioned.

Wilson said he doubted if Cornell students gave much thought to patriotism.

What about communism on the campus?

Both Dr. Wilson and President Snyder said they felt it was much less in evidence than in the average university, particularly when compared with eastern schools.

Representative Sisk wanted to know if it is true that 97 percent of the student body are orientals.

It is not true, Dr. Snyder said. Only about half the students are of oriental lineage. "And every one is an American citizen," he added.

TO MAINLAND

Why do so many Island youngsters go to the mainland for an education?

Children of prominent business leaders, Dr. Snyder pointed out, usually go to schools which the parents attended—an old mainland custom.

Donald G. McGuire, an associate professor, said about half the youngsters who go to the mainland for an education are children of oriental parents.

President Snyder interjected that he would never have accepted the presidency "if I had the slightest question about the university."

How about the caliber of students turned out by Hawaii's secondary school system?

Snyder said the Department of Public Instruction "turns out as fine a grade of student as any I've seen."

COST

Dr. Wilson said the university's cost per student is lower by far than land-grant schools in any of the Western States, partly because there is no high-cost, professional school, such as law, medicine, or dentistry.

Higher salaries are needed, he said, to attract middle and upper echelon associate and full professors, while beginners are adequately paid.

The Congressmen appeared satisfied.

LUNCHEON

Earlier in the day they lunched with the Honolulu Chamber of Commerce at the Alexander Young Hotel and won a standing ovation as they departed.

At that meeting O'Brien said "Hawaii's melting pot population is a greater success than in my own State (New York)."

O'Brien said, "If the charge persists that Hawaii is dominated by Communists, I shall say that either we are the greatest fools in history or that we are participating in a gigantic conspiracy."

The congressional delegation was to attend a luncheon given by Governor and Mrs. Quinn this noon at the Governor's Washington Place residence.

[From the Honolulu Advertiser, Dec. 3, 1958]

PHILLIPS AGREES: HAWAII AS 50TH STATE COULD CURB COMMUNISTS

(By Al Goodfader)

Dr. Lyle G. Phillips, past president of the Hawaii Resident's Association (Imua), agreed yesterday that a State of Hawaii could handle Communist activities within its borders.

He and Representative Leo O'Brien, Democrat, of New York, came to that conclusion after 2-hour meeting between five congressmen who are analyzing Hawaii's case for statehood, and Imua officials. Phillips said, however, the State of Hawaii would need "the help of Congress" in the form of legislation to curb Communist activities.

Imua presented its charges that Communist activities are a peril in the Islands. But, the congressmen came away from the meeting still convinced that Hawaii should be a State and that it faced no greater threat from communism than mainland areas.

O'Brien summed up his attitude this way:

"I think the Communist apparatus in Hawaii has been crippled. It has been pushed into a position where there is no greater risk with statehood than there would be in continued territorial status."

Two other members of the group, Representatives B. F. Sisk, Democrat, of California, and E. Y. Berry, Republican, of South Dakota, visited Chairman William B. Stephenson of the Territorial Commission on Subversive Activities.

Sisk said afterward:

"We got the most complete picture of Communist power and influence in the Islands that we have heretofore received. This (the report on communism) indicated to me that it represents no more of a threat than in any State of the Union and can be handled here as on the mainland."

Senator Frank Church, Democrat, of Idaho, a fourth member of the group, told four residents here who propose Commonwealth status for Hawaii that Congress would never accept the idea. Church met the Commonwealth backers in private. They were not identified by name.

"They are asking for a free ride and I don't think Congress would approve," Church said. "The commonwealth proposal would have Congress free the Islands from Federal taxes to attract industries here."

Imua officials told the congressmen that reports of Communist activities here should not be "swept under the rug."

They said reports of House and Senate committee investigations, court trials and Subversive Activities Commission hearings showed that Hawaii is in peril from local Communist activity.

They said the cause of statehood would be better served by telling of efforts to fight communism here, rather than by ignoring its existence.

The Imua official cited the report of the Senate Internal Security Subcommittee which held hearings here in 1956 under the direction of Senator James O. Eastland, Democrat, of Mississippi.

O'Brien said his group was willing to accept the facts, but not the conclusions in the report. "The report we give will be more factual in content and conclusions than the Eastland report," he said.

Sisk said the Eastland report should be "taken with a grain of salt" because it was compiled by those who would "go to any lengths to destroy the possibility of statehood."

O'Brien told Imua he had no quarrel with their organization when he scoffed at claims that the Communist menace barred the Islands from consideration for statehood.

"We were not referring to you, but those in Congress who use you," O'Brien said. He also disclaimed any attempt to destroy Imua.

Dr. Philip M. Corboy, a director of Imua and a member of the Territorial Statehood Commission, said these two jobs are not incompatible.

"It's like a man who loves his wife and respects his mother-in-law," Corboy said.

"We are sincerely for statehood and consistently against communism and we can work for both ideals," Corboy added. He said later he was speaking of Imua members, "as individuals."

Imua representatives at the meeting in the Alexander Young Building, besides Phillips and Corboy were: Thomas G. Singlehurst, first vice president; Wynthrop Orr, executive secretary; Dr. Clarence E. Fronk, a director; Mrs. Walter F. Dillingham, a director, and members of Imua's staff.

The three representatives leave at 10:15 a.m. today for informal meetings on Kauai, Maui and Hawaii. They will go to Kauai today, Maui tomorrow and Hawaii on Friday. They return here Saturday.

The Congressmen and their wives leave for home on the Matsonia Monday.

[From the Honolulu Star-Bulletin, Dec. 5, 1958]

O'BRIEN FOR STATEHOOD WITH NO IFS OR BUTS

(By Jack Teehan)

KAHULU, MAUI, December 5.—Hawaii will get a bright gold star on its report card for the next session of Congress—a star that may well become the 50th on the Nation's flag.

After visiting Kauai and Maui on a 4-day Neighbor Islands tour, Representative Leo W. O'Brien, chief spokesman for a delegation of visiting Congressmen, said:

"The returns from the late precincts are in— an overwhelming majority of the people of Hawaii want statehood."

But even more important, the men from Washington who came to the islands as friends of the statehood movement have developed burning personal convictions to bolster their fight on the floor of the House of Representatives.

SON OF ERIN

The change is most obvious in O'Brien, a graying Irishman who might have ghost-written "How to Win Friends and Influence People."

The chairman of the Territories Subcommittee, O'Brien made a speech before some 90 representatives of 42 organizations at the Maui Palms Hotel yesterday noon that brought tears to the eyes of at least one listener—Kei Yamato of New York City, head of Orchids of Hawaii.

"If communism is looking to the future in Hawaii," he said, "their seed will fall on the most barren soil I have even seen anywhere."

The man who has talked to thousands of school children on his islands tour said he was ashamed that youngsters seemed so grateful because he spoke to them.

The vicious arguments against Hawaiian statehood have continued so long, he said, it is no wonder that children in the islands have developed an inferiority complex and are almost ready to believe that they are, indeed, second-class citizens.

O'Brien told his Maui audience that about one-sixth of the islands' population is opposed to statehood—about the same proportion as was found in Alaska.

But he said some statehood opponents here are more articulate than there were in what is now the 49th State.

He predicted that Hawaii will be the last State to enter the Union and said "if we come to the Islands again we'll come as tourists because we will no longer have jurisdiction over your destiny as members of the Interior Committee."

[From the Honolulu Advertiser, Dec. 8, 1958]

HERE'S WHAT REPRESENTATIVE O'BRIEN WILL TELL CONGRESS ABOUT HAWAII

(By Leo W. O'Brien)

Arrival or departure of Congressmen hardly comes under the heading of news in Hawaii.

But when the *Matsonia* sails for San Francisco this afternoon, the presence on board of three Congressmen could very well constitute a small slice of American history.

The three, Representative Bernie Sisk of California, Representative E. Y. Berry of South Dakota, and the writer, constitute a special committee of the House Subcommittee on Territorial and Insular Affairs.

I think we are the last group from that particular subcommittee, of which I have the honor of being chairman, which will ever visit Hawaii. It is our earnest hope—or rather firm belief—that Hawaii will be the 50th State of the Union by the end of 1959, certainly not later than 1960.

When that happens, our committee will lose jurisdiction over what is now the last incorporated Territory under the American flag. We will be very happy to lose our authority in a great cause.

During the last two weeks, our committee, working in close harmony with Senators John Carroll of Colorado and Frank Church of Idaho, have been compiling the record and the impressions on which we will base our major roles in the statehood fight which lies close ahead.

Our report will be unanimous and it will recommend statehood at the earliest possible moment. We were leaders, in the last Congress, of the move to give Alaska statehood. We believe Hawaii's arguments for statehood are even stronger than those of Alaska.

Some residents of Hawaii have been curious about our failure to conduct public hearings here. A few were critical.

The fact is that the records of public hearings on Hawaii statehood are 10 feet tall and seldom read. The further fact is that we knew exactly the arguments we would have to overpower in the next Congress and we knew where to go for the answers.

They would not be found among professional witnesses with tiresome prepared statements, nor in the stilted questions of investigating Congressmen. They could be found only among the people.

That is why we deserted the hearing room for the street corners, the homes, the labor halls and the business marts, the schools, the churches, the professional groups, the law enforcement agencies, and, yes, the politicians.

~~Admission of Alaska as the 49th State simplified our quest.~~

~~No longer is it necessary to answer the contention that 600,000 people in Hawaii should not have the same number of U.S. Senators as existing States, such as my own heavily populated New York. We gave two Senators to Alaska with 212,000 people.~~

We do not have to answer the claim that Hawaii might not be able to support statehood economically. Hawaii is much more advanced economically, as of now, than is Alaska.

Creation of the 49th State out of the Territory of Alaska also blasted the theory that we would not and should not admit noncontiguous territory to statehood. A vast open sea lies between Hawaii and the mainland, but many miles of foreign land lie between the present 48th State and the new 49th.

What then is left to answer?

Let's take the easy ones first. It will be argued by some in Congress that Hawaii should be made a Commonwealth instead of a State.

We ran into that when the Alaska bill was before us. Supporters of Commonwealth in Hawaii are as few in number and as weak in their arguments as are the advocates of such a status in Congress.

It will be suggested that many people in Hawaii don't want statehood; that they are afraid to speak up because the newspapers and other media of public opinion are so loud in their demands.

Our committee has met with thousands of people in Hawaii, on the outlying islands as well as in Honolulu. We believe that a lower percentage of people in Hawaii opposes statehood than we found in Alaska where, in the useless referendum earlier this year, the prostatehood vote was 5 to 1.

The main arguments we must overcome when the Hawaii statehood bill reaches the floor, probably early in May, are these:

1. Hawaii has a Communist apparatus so strong and in such a strategic position that it would control the elective officials of the new State, including those it would send to the U.S. Senate and the House.

2. Mixed races in Hawaii would pose a constant question as to their firm loyalty to the United States in war with or disagreements with the nations from which they spring ethnically.

I have stated these as separate arguments, but actually there is no clear dividing line. Many who oppose statehood because of the mixed races, particularly the oriental strains, hide their feelings behind the handy and confusing issue of communism.

Let's take the matter of mixed races first. This was my first visit to Hawaii. I spent most of my life in Albany, N.Y., an old city, where persons with oriental blood are few and far between. So, during my first day in Hawaii I was fascinated by what I saw. Within 24 hours, I accepted the racial mixtures here as matter of fact.

And, as the days went on, a new fascination took hold of me, as I visited the wonderful schools, from elementary grades through the college level, with no consciousness among the children that one was any less American than the other.

We, all of us, saw a clean, intelligent, gentle people of whom any nation could be proud. We saw, too, the actual operation, without strain or stress, of the "melting pot" of which we speak on the 4th of July and do little to achieve the rest of the year.

If the races on the mainland were to mix as successfully as they already have in Hawaii, our democracy would be advanced by 100 years. What has happened in Hawaii is not something to draw aloof from, but rather something at which we should point with pride.

We will be asked in Congress what Hawaii, as a new State, will have to offer the rest of the Nation. We spoke of oil and other material and undeveloped resources when we argued for Alaska.

When we take the floor for Hawaii we will point to the gigantic shot in the arm admission of Hawaii as a full brother will give our posture throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million people free and friendly.

What will those people think if, after admitting Alaska, we say "no" to Hawaii? I know. They will say we denied Hawaii because we didn't like the racial strains there.

As to loyalty when the chips are down at some future time, why look to the future? The people of Hawaii, of all races, have already met this test and come through with flying colors. Proof of their loyalty is written in blood shed for the American cause.

I have Irish and English blood in my veins. I would not fight for either country if, God forbid, they warred upon the United States. Neither will the people of Hawaii, if we fall out with any of the many lands from which they or their forefathers came. If in doubt about that, consult our military intelligence, or our FBI, or the names on the gravestones of countless military dead.

And, now, for the big question. What will we say when, surely as tomorrow's sunrise, opponents of statehood take the floor and say:

"Hawaii has many Communists. Its most powerful labor union, the ILWU, has leaders who have been publicly cited as present or former Communists. Those leaders can, at their whim or will, cripple the economy of the islands. They owe allegiance to international communism and they will deliver the union members, as a bloc, for candidates who are Communists or soft toward communism."

At least one Member of the House is sure to say, as he has before:

"If you give statehood to Hawaii, you will have four Soviet agents in the Congress of the United States."

This is an argument calculated to frighten indifferent Members of Congress, who are not opposed to mixed races, but who fear that if they vote for statehood in the face of such statement, some of their constituents will think they are soft toward communism.

Those members hold the balance in this statehood fight. It is our job to convince and reassure them.

That is why during these last 2 weeks we have talked to the most informed people in Hawaii on this subject. That's why, fresh from the ship, we went to union headquarters. That's why we spent 2 hours with the FBI and 2 hours with Imua leaders. That's why we went to schools and churches. That's why we talked with business leaders, some of whom don't like the ILWU.

We have done our homework, and these are our conclusions:

1. There are about 25 Communists in Hawaii, percentagewise fewer than in New York or Alaska.

2. Identified Communists, who claim they have broken away, are in positions of great power in the ILWU, which has about 24,000 members.

3. These leaders, if they can sway their followers, can wreak economic havoc on Hawaii, but such action, no matter the motive, would be as harmful to the interests of Hawaii and the United States, whether Hawaii is a State or a Territory.

4. There is evidence, despite this great power, that some substantial businessmen have preferred to deal with the ILWU rather than some other unions. Most significantly, we found that powerful spokesmen for management who have locked horns with the ILWU and have no love for it or its leaders are among the stanchest supporters of statehood.

5. The big question is the extent of the political control of the leaders of the ILWU, particularly those leaders who have been cited as Communists. There is disagreement about that even in Hawaii. Imua thinks the political power is great and that it can and will be used for subversive purposes. We cast no reflection upon Imua, whose members include highly respected persons, but we must disagree as to the extent of the danger.

6. Imua itself agreed with our committee that the problem, even in the magnitude they found, could be handled under statehood, provided Congress gave the State the proper tools. That, we felt, was a major concession and answered, to some extent, the contention that Imua is actually an antistatehood organization in disguise.

It would be as unfair to say that Imua is antistatehood because some of its contributors are as it would be for Imua to say that the ILWU membership is a solid Communist political force and that all who disagree with that claim are suspect.

7. We found no evidence that the Communists in Hawaii have ever been linked with Soviet espionage or that they have ever managed to elect a Communist to public office.

8. We do not approve of the political strike which was staged by the ILWU leaders when the Eastland committee came here, but we found significance in the fact that two-thirds of the union members refused to strike and that some of those who did felt that the Eastland committee was gunning for labor rather than Communists.

9. We note, too, that a very distinguished Senator who signed the Eastland committee report was most active earlier this year in urging Congress to grant immediate statehood to Hawaii.

10. We were told that the inquiry by the FBI and the resultant Smith act trials, despite the ultimate ruling of the High Court, crippled the Communist apparatus in Hawaii. The new State and the Federal Government can keep it crippled.

11. It is true that ILWU-endorsed candidates have won public office, but in many instances they would have won anyway, either because of their general popularity or their reputation as friends of labor.

12. Honolulu adopted a city charter, by an overwhelming vote, despite strenuous ILWU opposition.

13. In the most recent elections, union-backed candidates, including some union leaders, were soundly beaten. In other instances, the ILWU tried to "fatten its batting average" by endorsing candidates who were going to win anyway. Despite this strategy, they made a rather poor showing.

14. Finally, where a community or State is dominated by Communists, it shows up in the schools. We state, without reservation, that the Hawaiian schools are extraordinarily good and that Communists who try to plant their evil seed there will find most barren ground.

I was a newspaperman for 30 years before going to Congress. Looking back on what I have written, I feel that I have been away from the reporter's typewriter too long and that I have forgotten the rules of brevity.

In a few hours, we will be on our way home, first to spend a few holiday hours with our children and grandchildren and then on to Washington for the historic battle.

Will you get that 50th star?

Let me answer this way. I shall never return to Hawaii until you are a State. I expect to return within 18 months. Meanwhile:

Aloha and Mahalo Nui Loa.

X